

Safeguarding Adults at Risk Policy

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Policy Statement

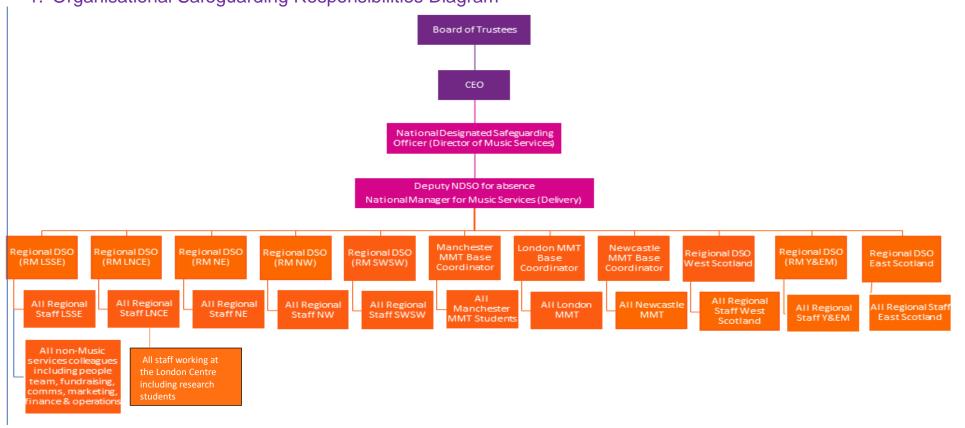
Nordoff & Robbins is committed to providing its services in a way that safeguards and promotes the welfare of adults at risk. This policy applies to all staff including the Board of Trustees, senior managers, committee members, paid staff, volunteers, students and sessional workers, agency staff, students, interns or anyone working on behalf of Nordoff & Robbins. It sets out what actions staff, students or volunteers should take if they are concerned about the welfare of any adults at risk that they come into contact within the course of their work with Nordoff & Robbins. Our Trustees will proactively safeguard and promote the welfare of all beneficiaries of Nordoff & Robbins services and as such will take all reasonable steps to ensure that their beneficiaries or others who come into contact with their charity do not, as a result, come to harm. There are separate documents for the policy and procedures for Safeguarding Children at Risk.

Failure by any colleague or volunteer to follow this policy may be treated as a disciplinary matter and may result in disciplinary actions including dismissal.

Date of last review: August 2024



1. Organisational Safeguarding Responsibilities Diagram



Date of last review: August 2024

1. Policy

The purpose of this policy is to:

- Protect adults at risk who receive our services;
- Provide staff, students and volunteers with the overarching principles that guide our approach to safeguarding.

The welfare of adults at risk is of paramount importance and all those who use our services have a right to be protected from abuse regardless of their gender, race, disability, sexual orientation, religion, belief or age. Through the application of policy, procedures, training, and best practice, Nordoff & Robbins promotes the safety, welfare and well-being of all adults at risk enabling them to participate in our music therapy and other activities in a meaningful, safe, inclusive and person-centred environment. This equally applies to the safety and security of those working with and who are responsible for any activities involving adults at risk.

Nordoff & Robbins will report suspected cases of abuse perpetrated by staff, students, volunteers, or any other party in accordance with legislative requirements and good practice. Suspected cases will be reported to local authority safeguarding teams in a timely fashion and recorded securely. The organisation will provide staff, students and volunteers with the necessary support and guidance to encourage an environment where suspected or witnessed abuse will be dealt with in a timely and appropriate fashion. Nordoff & Robbins will ensure that staff, students, and volunteers are supported appropriately during and following the process of reporting abuse.

Nordoff & Robbins is fully committed to:

- playing our part in safeguarding the welfare of all adults at risk by being proactively vigilant for any signs of abuse and taking all reasonable steps to protect them from abuse or neglect.
- taking appropriate action to address any concerns, working to agreed local policies and procedures in partnership organisations where our therapists are based and with other appropriate local agencies.
- ensuring all staff, students and volunteers have knowledge of this policy and the accompanying procedures document.
- having systems in place for the appropriate recruitment and selection of staff and volunteers.
- recognising and removing as far as possible the barriers that those who encounter our services might face, and proactively challenging inequality and ensuring dignity, respect and equality in our treatment of others.

All employees, volunteers, students, and workers are made aware of the policy and procedures through induction and where appropriate their work with adults at risk will be supported by a comprehensive on-going safeguarding training programme. All staff and students are required to read this policy and abide by the procedures as set out in this document. The Trustee welcome pack includes safeguarding information and Nordoff & Robbins shall keep a record of what safeguarding training our Trustees have undertaken. Refresher safeguarding training will be provided every year or earlier if required.

Our 'Code of Conduct' Policy provides staff with a framework which is designed to protect all our service users and staff from situations which could be misinterpreted and lead to allegations being made against them. Failure

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to follow the procedures or acting contrary to the code of conduct/behaviours may lead to disciplinary action being taken. In addition, therapists must be registered with the Health and Care Professions Council (HCPC), and abide by the HCPC's Standards of Conduct, Performance and Ethics¹.

As part of our safeguarding commitment, we will ensure the use of vigorous vetting procedures in line with our *Recruitment and Safe Practices* Policy. This will include, where it is appropriate for posts, the use of Enhanced (or Basic where appropriate) checks with the Disclosure and Barring service (DBS) in England and Wales. In Scotland this is the Protection of Vulnerable Groups (Scotland) Act 2007 (2011) Scheme (PVG). PVG membership records are automatically updated if any new vetting information arises. All relevant staff and volunteers with client contact will be members of the PVG scheme, managed by Disclosure Scotland. All NR staff and volunteers in Scotland are required to disclose any criminal convictions whilst they are associated with or employed by the charity.

Nordoff & Robbins will also use references for Music Therapists which will ask for comments on an individual's suitability to work with adults at risk.

Definitions:

An adult at risk in England and Wales (Care Act 2014, Section 14.2) is defined as someone who is aged 18 or over and:

- Has needs for care and support (whether or not the local authority is meeting any of those needs)
- Is experiencing, or is at risk of, abuse or neglect, and
- As a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

An adult at risk in Scotland (Adult Support and Protection (Scotland) Act 2007; Section 3.1) is defined as someone who is aged 16 years or over and who:

- is unable to safeguard themselves, their property, rights or other interests,
- is at risk of harm, and
- because they are affected by disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than others who are not affected.

The presence of a particular condition does not automatically mean an adult is an 'adult at risk'. Someone can have a disability and be able to safeguard their wellbeing etc. All three elements of this definition must be met. It is the whole of an adult's particular circumstances which can combine to make then more susceptible to harm than others.

Safeguarding adults at risk is defined as:

- Protecting their rights to live in safety and to be free from abuse and neglect;
- People and organisations working together to prevent the risk of abuse or neglect, and to stop these from happening.

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 $^{^1\,}https://www.hcpc-uk.org/globalassets/standards/standard-of-conduct-performance-and-ethics/revised-standards-2023/revised-standards-of-conduct-performance-and-ethics.pdf$



Care and Support Statutory Guidance 2014, Chapter 14

Adults at risk include those people who are living with physical disability or disabilities or impairment/s. It is important to include people whose condition and subsequent vulnerability fluctuates. It can include an individual who may be vulnerable as a consequence of their role as a carer in relation to any of the above. It may also include victims of domestic abuse, hate crime and anti-social abuse behaviour. The persons' need for additional support to protect themselves may be increased when complicated by additional factors, such as, physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.

Many adults at risk may not realise that they are being abused. For instance, an elderly person, accepting that they are dependent on their family, may feel that they must tolerate losing control of their finances or their physical environment. They may be reluctant to assert themselves for fear of upsetting their carers or making their situation worse.

Nordoff & Robbins Safeguarding Team

Nordoff & Robbins has a Safeguarding Team which covers all Regions and Directorates of the organisation. Each member of the team has a particular area of safeguarding responsibility:

- The CEO, briefed by the NDSO, will ensure the Board of Trustees are kept up to date with any safeguarding issues
- The National Designated Safeguarding Officer (NDSO) is responsible for strategic leadership on safeguarding, embedding safeguarding across all directorates at Nordoff & Robbins and supporting the DDSO and Regional Designated Safeguarding Officers (RDSO) with their duties in relation to implementation of safeguarding policy. The NDSO will update the CEO regularly on all safeguarding matters. The NDSO will report on safeguarding matters to the Music Services Committee three times per year. The Committee membership includes the Trustee with responsibility for Safeguarding. The NDSO will update regularly on all safeguarding matters
 - the CEO formally monthly and ad hoc in addition as necessary.
 - o the senior leadership team monthly.
 - The Board of Trustees formally as part of its meeting cycle 3 times a year (through the Music services Committee) and at least twice via reports by the CEO out of meeting cycle.
- Deputy National Designated Safeguarding Officer (Deputy NDSO) is the first port of call for RDSOs for advice and support and will keep the NDSO updated with all safeguarding matters. They also act as the first port of call for all safeguarding concerns raised by non-Music Services colleagues across the organisation.
- RDSOs are the first point of call for Music Therapists, volunteers, and students with regard to any safeguarding concerns. They inform the Deputy Designated Safeguarding Officer (and copy in the NDSO to all communications) about all safeguarding concerns raised within Nordoff & Robbins and seek their support where necessary.

For more information and contact details of all safeguarding team see the Safeguarding Adults at Risk: Procedures document.

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What do we mean by abuse of adults at risk?

Abuse of an adult at risk may consist of a single act or repeated acts. It may occur as a result of a failure to undertake action or appropriate care tasks. It may be an act of neglect or an omission to act, or it may occur where a vulnerable person is persuaded to enter into a financial or sexual transaction to which they have not or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the individual.

Concerns about abuse may be raised and reported to the social services agency as a result of a single incident or repeated incidents of abuse. For some clients the issues of abuse relate to neglect and poor standards of care. They are ongoing and if ignored may result in a severe deterioration in both physical and mental health and even death. Anyone who has concerns about poor care standards and neglect in a registered care setting may raise these within the service, with the appropriate regulatory body (such as the CQC) and/or with the local social services agency.

Where these concerns relate to an adult at risk living in their own home, with family or with informal carers they must be reported to the local social services agency where the individual usually resides. These reports must be addressed through the adult protection process and a risk assessment must be undertaken to determine an appropriate response to reduce or remove the risk.

Abuse and neglect

There are 10 recognised categories of abuse under the Care Act 2014:

- 1. Neglect and acts of omission;
- 2. Sexual abuse;
- 3. Physical abuse;
- 4. Psychological/emotional abuse;
- 5. Discriminatory abuse which includes hate crime;
- 6. Financial or material abuse;
- 7. Organisational abuse;
- 8. Domestic violence;
- 9. Modern slavery;
- 10. Self-neglect which includes hoarding

Online world

Although the online world provides many benefits to adults at risk, there are also a number of potential associated risks:

- Inappropriate language or images;
- Online grooming;
- · Cyberbullying; and
- Sexting

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Full descriptions of each category of abuse and neglect can be found in Appendix 1.

The 'Prevent Duty' - radicalisation and extremism

Nordoff & Robbins is not a 'specified authority' organisation but we work with and may enter into contracts or work with bodies - such as local councils or health and social care providers - that are bound by the Prevent duty. These organisations may place contractual or other obligations on Nordoff & Robbins which relate to those authorities' own compliance with the duty.

Radicalisation and extremism of adults at risk is a form of psychological/emotional abuse. HM Government states that the aim of radicalisation is to attract people to a particular extremist ideology. In many cases it is with a view to inspiring an adult at risk to eventually become involved with harmful or terrorist activities. Radicalisation can take place through direct personal contact, or indirectly through social media. Extremism is defined as vocal or active opposition to fundamental British values including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. Nordoff & Robbins aims to prevent radicalisation and extremism by ensuring our staff understand the risks of these dangers through our safeguarding and PREVENT duty training.

Maintaining a relationship of trust

Those who have responsibility for, and authority or influence over, vulnerable groups are in relationships of trust in relation to the vulnerable groups in their care. A relationship of trust can be described as one in which one party has power and influence over the other by virtue of their work or the nature of the activity. It is vital for all those in such positions of responsibility to understand the power they may have over those in their care, and the responsibility they must exercise as a consequence. Furthermore, the HCPC states that music therapists must "recognise that relationships with service users, carers and others should be based on mutual respect and maintaining high standards of care even in situations of personal incompatibility" (standard 2.6). It also states that music therapists should, "recognise the power imbalance which comes with being a health care professional, and ensure they do not abuse this for personal gain" (standard 2.11)²

At Nordoff & Robbins this means that those in relationships of power and trust should always³:

- Take action to set and maintain appropriate professional boundaries with service-users, carers and colleagues
- Use appropriate methods of communication to provide care and other services related to their practice
- Ensure that existing personal relationships do not impact professional decisions
- Ensure that they do not abuse their position to pursue personal, sexual, emotional or financial relationships with service-users, carers or colleagues.
- Consider the potential impact that the position of power and trust may have on individuals in social or personal settings.

² HCPC Standards of Proficiency for Arts Therapists, updated 2023:

https://www.hcpc-uk.org/standards/standards-of-proficiency/arts-therapists/

³ The following expectations are taken from the revised HCPC 'Standards of Conduct, Performance and Ethics", September 2024 [Standards 1.8 – 1.12]



The position of trust is in part, exercised through the development of respectful, caring and professional relationships between our staff, students and volunteers and our service users as well as behaviour by all staff and volunteers that demonstrates integrity, maturity and good judgment.

Duty of Care

Nordoff & Robbins has a duty of care towards our service users, staff, students and volunteers. Through our duty of care we will endeavour to take all reasonable steps to identify and reduce risks whilst people are in our services whilst respecting the individual's rights to make their own choices. With regard to safeguarding disclosures and reporting we will ensure our staff are supported through our line management structure.

Nordoff & Robbins Safeguarding Team

Nordoff & Robbins has a Safeguarding Team which covers all Regions and Directorates of the organisation. Each member of the team has a particular area of safeguarding responsibility:

- The CEO, briefed by the NDSO, will ensure the Board of Trustees are kept up to date with any safeguarding issues
- The National Designated Safeguarding Officer (NDSO) is responsible for strategic leadership on safeguarding, embedding safeguarding across all directorates at Nordoff & Robbins and supporting the DDSO and Regional Designated Safeguarding Officers (RDSO) with their duties in relation to implementation of safeguarding policy. The NDSO will update the CEO regularly on all safeguarding matters. The NDSO will report on safeguarding matters to the Music Services Committee three times per year. The Committee membership includes the Trustee with responsibility for Safeguarding. The NDSO will update regularly on all safeguarding matters
 - the CEO formally monthly and ad hoc in addition as necessary.
 - o the senior leadership team monthly.
 - The Board of Trustees formally as part of its meeting cycle 3 times a year (through the Music services Committee) and at least twice via reports by the CEO out of meeting cycle.
- Deputy Designated Safeguarding Officer (DDSO) is the first port of call for RDSOs for advice and support and will keep the NDSO updated with all safeguarding matters.
- The RDSO for LSSE acts as the first port of call for all safeguarding concerns raised by non-Music Services colleagues across the organisation.
- RDSOs are the first point of call for Music Therapists, volunteers, and students with regard to any safeguarding concerns. They inform the Deputy Designated Safeguarding Officer (and copy in the NDSO to all communications) about all safeguarding concerns raised within Nordoff & Robbins and seek their support where necessary.

For more information and contact details of all safeguarding team see the Safeguarding Adults at Risk: Procedures document.

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Responsibility for adherence to this policy and procedures

It is essential that all staff adhere to our safeguarding procedures. Failure to do so may be subject to disciplinary action. External associates, contractors or any others working on behalf of Nordoff & Robbins who fail to follow these procedures may be subject to loss of future contracts or any similar arrangements.

Storage of files

Records of safeguarding concerns must be kept confidentially and for the appropriate retention period. All concern forms raised should be uploaded by the RDSO to their Regional Safeguarding Concern folder which is stored securely in the NDSO's OneDrive. Staff involved should **not** keep records of safeguarding concerns on their own computers or Mac hard drives, and any copies of this form which they originally drafted should then immediately be destroyed. All hand-written notes should be scanned and submitted with the Safeguarding Concern Form. The RDSO will upload these to the NDSO's OneDrive safeguarding folder. The originals can then be shredded confidentially.

Safeguarding concern forms should be clearly stored with a title displaying year-month-date in 8-digit form, followed by the initials of the person for whom there is a concern arising, underscore, and then the initials of the person raising the concern. Therefore, a concern raised on the 13th October 2024 regarding a client named *Eden George* by a member of staff named *Lesley Davies* would have the file name: **20241013 EG_LD.**

Where other documents also need to be stored in relation to the same concern (eg referral to the Children's Social Care team or scanned-in hand-written notes in relation to a disclosure), a folder should be created with the name as above and all documents including the concern form saved within it. All concerns raised should also be noted on the National Safeguarding Log by the relevant RDSO.

Record retention

The period of retention for safeguarding concerns raised in relation to a child or adult at risk's welfare or safety in which a formal referral is made to the relevant local authority or Police is 7 years from the point of Nordoff and Robbin's last contact with the child or adult at risk. After this time, it must be deleted by the relevant RDSO Where, after consultation with the relevant agencies (PO safeguarding team, NSPCC helpline, LA social care team etc), no formal referral by Nordoff & Robbins safeguarding team is deemed necessary, the period of retention for the original concern is 7 years post the concern form being raised. After this time, it must be deleted by the relevant RDSO.

When the concern is noted on the National Safeguarding Log, the deletion date for the file or folder should also be clearly noted in the appropriate column. If it is unknown as to whether this particular concern is going to lead to a formal referral to outside agencies, or a formal referral is indeed made and we are not sure when our last contact with the client will be, then the box should state "PENDING", and should be completed as soon as we have this knowledge. It is the RDSO's responsibility to ensure this information is kept up to date.

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Process for the deletion of files: All safeguarding concerns that have reached the end of their retention period must be deleted by the relevant RDSO by the 15th December in the year when deletion should take place. For example, if a concern is raised on the 19th October 2024 and no formal referral by N&R safeguarding team is deemed necessary then the file must be deleted by the RDSOs by 15th December 2031.

The DDSO will check the safeguarding log and folders following the 15th December of each year to ensure that deletion has taken place of all concerns that have reached the end of their retention period and alert the relevant RDSO if for any reason this has not been the case.

Confidentiality

Every effort should be made to ensure that confidentiality of safeguarding cases is maintained for all concerned. Information should be handled and disseminated on a need to know basis only which would not normally include anyone other than the following:

- The Nordoff & Robbins Safeguarding Team (consisting of the NDSO, DDSO and RDSOs) and HR Manager;
- The adult at risk or the person raising the concern;
- The employee, worker, consultant, agency staff, student or volunteer who received the concern or disclosure;
- The parents/carers of the adult at risk who is alleged to have been abused, where this is appropriate, and they are not implicated by the concern;
- Local Authority and Police as appropriate.

Employees, workers, consultants, agency staff, students and volunteers may have access to confidential information about adult at risk in order to undertake their responsibilities. In some circumstances, employees, workers, consultants, agency staff, students or volunteers may be given highly sensitive or private information. Confidential or personal information about an adult at risk or his/her family should not be used for their own or others advantage.

The storing and processing of personal information about adults at risk is governed by the Data Protection Act 2018.

Working with external partners

Nordoff & Robbins always ensures external partners and organisations we engage with promote the safety and welfare of children and young people and this is outlined in contracts and/or service level agreements. External partners and organisations are required to demonstrate competencies in safeguarding and we will assess this from time to time through safeguarding audits. Where organisations do not have their own satisfactory safeguarding arrangements, they will be expected to comply with Nordoff & Robbins' standards.

Information sharing

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Nordoff & Robbins abides by the 7 guiding principles as set out by HM Government on sharing information. Namely:

- 1. The Data Protection Act, GDPR Regulations and human rights laws are not barriers to justified information sharing, but provide a framework to ensure that personal information about adults at risk is shared appropriately;
- 2. Openness and honesty with the adult at risk (and/or their parents/carers or family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek agreement, unless it is unsafe or inappropriate to do so;
- 3. Advice is sought from our DDSO and Data Protection Lead if there is any doubt about sharing the information concerned, without disclosing the identity of the adult at risk where possible;
- 4. Information is shared with informed consent where appropriate and, where possible, there is respect for the wishes of those who do not consent to share confidential information. Information will still be shared without consent if, in the organisation's judgement, there is good reason to do so, such as where safety may be at risk. Judgement will be based on the facts of the case;
- 5. Safety and well-being of the adult at risk is always considered;
- 6. Information is only shared when it is necessary, proportionate, relevant, adequate, accurate, timely and secure to do so;
- 7. Records of the decision to share information in relation to any reported concerns, with whom and the reasons are always recorded on the Safeguarding Concern Form in our Guidance document and available on our intranet.

Nordoff & Robbins will share information with the relevant statutory agencies and the HCPC, where appropriate, in relation to safeguarding cases.

Monitoring and Review

- 2.1. Any breach of this policy may result in disciplinary action in accordance with the Charity's disciplinary procedure. Any serious breaches of this policy may result in summary dismissal.
- 2.2. This policy is periodically reviewed to ensure its continuing suitability and legality and has been communicated to all Nordoff & Robbins Colleagues and is endorsed by the Charity's Directors, Trustees and Management Team who take responsibility for the delivery of its aspirations.

Sandra Schembri CEO

3. Associated Policies and Procedures

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- Recruitment and Safer Practices Policy
- Code of Conduct Policy
- Managing allegations against staff, students and volunteers (included in this policy)
- Data Protection Policy including retention of records schedule and UK GDPR updates
- Risk, data protection and practical considerations for remote/online music therapy sessions, including use of Zoom as set out in our 'Safeguarding within Remote Working Policy"
- Anti-harassment and Bullying Policy
- Complaints Procedures
- Whistle blowing Policy
- Drugs and Alcohol Policy
- Health and Safety
- Lone working policy and procedures
- Nordoff & Robbins Quality Assurance framework

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Appendix 1: Categories of abuse and neglect as defined by the Care and Support Statutory Guidance (2014)

Neglect and acts of omission	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.
Sexual abuse	Rape, indecent exposure, sexual harassment, inappropriate looking or
	touching, sexual teasing or innuendo, sexual photography, subjection to
	pornography or witnessing sexual acts, indecent exposure and sexual
	assault or sexual acts to which the adult has not consented or was
	pressured into consenting.
Physical abuse	Assault, hitting, slapping, pushing, misuse of medication, restraint or
	inappropriate physical sanction.
Psychological/emotional	Emotional abuse, threats of harm or abandonment, deprivation of
abuse	contact, humiliation, blaming, controlling, intimidation, coercion,
	harassment, verbal abuse, cyber bullying, isolation or unreasonable and
	unjustified withdrawal of services or supportive networks.
Discriminatory abuse includin	g Forms of harassment, slurs or similar treatment; because of race, gender
hate crime	and gender identity, age, disability, sexual orientation or religion.
Financial or material abuse	Theft, fraud, internet scamming, coercion in relation to an adult at risk's
	financial affairs or arrangements, including in connection with wills,
	property, inheritance or financial transactions, or the misuse or
	misappropriation of property, possessions or benefits.
Organisational abuse	Neglect and poor care practice within an institution or specific care
	setting such as a hospital or care home, for example, or in relation to
	care provided in one's own home. This may range from one-off incidents
	to on-going ill-treatment. It can be through neglect or poor professional
	practice as a result of the structure, policies, processes and practices
	within an organisation.
Domestic violence	Psychological, physical, sexual, financial, emotional abuse; so called
	'honour' based violence; female genital mutilation; stalking and forced
	marriage
Modern slavery	Slavery, human trafficking, forced labour and domestic servitude.
	Traffickers and slave masters use whatever means they have at their
	disposal to coerce, deceive and force individuals into a life of abuse,
	servitude and inhumane treatment.
Self-neglect	Neglecting to care for one's personal hygiene, health or surroundings and
	includes behaviour such as hoarding

Appendix 2: Legal and Organisational Framework for this policy

This policy has been drawn up on the basis of law and guidance that seeks to protect adults at risk, namely: 1: England, Wales & Scotland

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- Care Act 2014
- Human Rights Act 1998
- HCPC Standards of Proficiency for Arts Therapists
- HCPC Standards of Conduct, Performance and Ethics (revised 2024)

2: England & Wales

- Achieving Best Evidence 2002
- Counter-Terrorism and Security Act 2015
- HM Government Information Sharing Guidance for Practitioners 2015
- Equality Act 2010
- Mental Capacity Act 2005
- Modern Slavery Act 2015
- Protection of Freedoms Act 2012
- Sexual Offences Act 2003
- Police Act 1997
- Rehabilitation of Offenders Act 1974
- Safeguarding Vulnerable Groups Act 2006
- Data Protection Act 2018
- General Data Protection Regulations (GDPR) 2018
- Domestic Abuse Act 2021
- The Social Services and Well-being (Wales) Act 2014 [Wales only]

3: Scotland

- Adult Support and Protection (Scotland) Act 2007
- The Protection of Vulnerable Groups (Scotland) Act 2007
- Safeguarding Adults National Framework of Standards 2005
- Adults with Incapacity (Scotland) Act 2000
- Mental Health (Care & Treatment) (Scotland) Act 2003
- <u>Sexual Offences (Scotland) Act 2009</u>
- Criminal Justice and Licensing (Scotland) Act 2010
- Forced Marriage (Protection and Jurisdiction) (Scotland) Act 2011
- Prohibition of Female Genital Mutilation (Scotland) Act 2005

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