



HM Prison & Probation Service

Adult Safeguarding Charter

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All details of policies were correct at time of publication. Please use the policy links throughout to check live policy details. If you find anything within this document that needs to be updated please contact prisonframeworks@justice.gov.uk

Purpose

HMPPS has a number of statutory requirements in relation to safeguarding which all staff have a responsibility to deliver.

This charter has been designed to capture safeguarding definitions, expectations and responsibilities for prison and probation staff and signpost them to relevant policies.

It covers our work with adults (people aged 18+) in our care or under our supervision to keep them safe from abuse or neglect. This includes working together with our partners to prevent instances of abuse or neglect and making sure individuals are being managed in line with their wishes, feelings and beliefs where appropriate to do so.¹

Children (people under the age of 18) are not covered within the scope of the charter. Nor are our public protection duties in relation to adults and children at risk from people in custody or subject to supervision.

Relevant Guidance:

[Adult Safeguarding in Prison](#)

[Safeguarding Adults at Risk in the Community Probation Service Policy Statement \(Master\)](#)
(HMPPS EQuIP)

¹ [Care and support statutory guidance - GOV.UK \(www.gov.uk\)](#)

Abuse

Abuse is any act, or failure to act, which results in a significant break of an individual's human rights, civil liberties, bodily integrity, dignity or general wellbeing. This may be intended or inadvertent and can include sexual relationships or financial transactions to which a person has not or cannot validly consent, or which are deliberately exploitative.²

Examples of different types of abuse can include, but are not limited to:

- **Physical abuse** - including any form of assault; hitting; slapping; pushing; misuse of medication; misuse of restraint; or inappropriate physical sanctions.
- **Sexual abuse** - including rape; indecent exposure; sexual harassment; inappropriate looking or touching; sexual teasing or innuendo; sexual photography; subjection to pornography or witnessing sexual acts; sexual assault; sexual acts to which the adult has not consented or was pressured into consenting.
- **Psychological abuse** - including emotional abuse; threats of harm or abandonment; deprivation of contact; humiliation; blaming; controlling; intimidation; coercion; harassment; verbal abuse; cyber bullying; isolation; unreasonable and unjustified withdrawal of services or supportive networks.
- **Financial or material abuse** - including theft; fraud; internet scamming; coercion in relation to an adult's financial affairs or arrangements including in connection with wills, property, inheritance or financial transactions; the misuse or misappropriation of property, possessions or benefits.
- **Discriminatory abuse** - including verbal harassment or other maltreatment due to a person's protected characteristics (as defined in the Equality Act 2010).
- **Organisational abuse** - including neglect and poor care practice within an institution or specific care setting, or in relation to care provided in one's own home.³
- **Modern Slavery and Human Trafficking (MSHT)** - including forced labour, criminal exploitation (where individuals are forced to commit crimes), sexual exploitation and domestic servitude. It includes the severe exploitation of individuals primarily for economic gain, often involving physical and psychological violence, coercion, deception and inhumane treatment.

² [PSI 16/2015: Adult Safeguarding in Prison](#)

³ [Care and support statutory guidance - GOV.UK \(www.gov.uk\)](#)

Neglect

Neglect is a failure to identify and meet the needs of an individual⁴, for example by:

- Ignoring medical, emotional, or physical care needs.
- Failing to provide access to appropriate health, care and support or educational services.
- Withholding of the necessities of life, such as medication, adequate nutrition and heating.

Neglect also includes self-neglect, which covers a wide range of behaviours such as neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.⁵

Staff must recognise and respond to the signs of self-neglect. Self-neglect can involve one or more of the following behaviours:⁶

- lack of self-care that threatens personal health and safety
- neglecting to care about personal hygiene, health, or surroundings (including hoarding)
- an inability to avoid harm because of self-neglect (for example being the subject of aggression from peers due to lack of hygiene)
- failure to seek help or access services to meet health and social care needs
- inability or unwillingness to manage personal affairs.

⁴ [PSI 16/2015: Adult Safeguarding in Prison](#)

⁵ [Care and support statutory guidance - GOV.UK \(www.gov.uk\)](#)

⁶ [Managing self-neglect in prisons and Approved Premises 2024 \(HMPPS EQuIP\)](#)

Our Role

HMPPS staff are required to take steps to prevent harm, abuse, or neglect from occurring e.g. self-harm, violence, drug use, modern slavery, and exploitation (including county lines drug supply). Governors in prisons are required to appoint a safeguarding functional lead⁷.

The term *Adult Safeguarding* covers a range of activity across HMPPS, with other terminology sometimes being used to describe this. This includes, but is not limited to Public Protection, Safer Custody, Security, Integrated Care and Therapeutic Communities.

A key factor in managing safeguarding concerns is multi-disciplinary working, particularly with health and social care partners, including data sharing responsibilities and restrictions.

Staff must consider safeguarding action when they observe an ‘adult at risk’ in our care or under our supervision. This is defined as a person who:

- has needs for care and support (whether being met or not); and
- is experiencing, or at risk of experiencing, abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse and neglect.⁸

This may include people:

- with learning disabilities.
- with substance misuse issues.
- with diminished mental capacity (as defined in the Mental Capacity Act 2005).
- who are prevented from accessing required health care.
- who are not receiving adequate nutrition.

It is important all reports of suspected abuse or neglect are treated seriously and acted on to:

- Prevent further abuse or neglect.
- Support and protect victims, witnesses and reporters.
- Investigate whether or not the suspected abuse or neglect took place.
- Ensuring that appropriate sanctions are applied to the perpetrator(s).

HMPPS staff are in a position of authority over prisoners, and in order to prevent abuse and neglect it is necessary to ensure that standards of behaviour are set and maintained.

All safeguarding concerns must be reported to the prison lead for Adult Social Care who is responsible for liaising with local authorities (as per local arrangements). Safeguarding concerns may occur throughout a person’s time in custody, from reception through to pre-release.⁹

The use of the term ‘at risk’ means that actual abuse or neglect does not need to have occurred, rather early interventions to protect an adult at risk of abuse should be considered to prevent actual abuse and neglect. All safeguarding reports must be made to social services,

⁷ [PSI 16/2015: Adult Safeguarding in Prison](#)

⁸ As per the [Care Act 2014 section 42 \(England\)](#) and the [Social Services & Wellbeing \(Wales\) Act 2014 section 126](#)

⁹ [PSI 03/2016 Adult Social Care](#)

and police where it is suspected that a crime has been committed, as soon as possible and within one working day of a concern being identified.¹⁰

Under the Care Act, there are 6 underlying principles¹¹ which should inform all adult safeguarding work across all sectors and settings, including HMPPS:

1. **Empowerment** - people being supported and encouraged to make their own decisions, and informed consent.
2. **Prevention** - it is better to take action before harm occurs.
3. **Proportionality** - the least intrusive response appropriate to the risk presented.
4. **Protection** - support and representation for those in greatest need.
5. **Partnership** - local solutions through services working with their communities. Communities have a part to play in preventing, detecting, and reporting neglect and abuse.
6. **Accountability** - accountability and transparency in delivering safeguarding.

Circumstances in which safeguarding interventions may be required include prisoners:

- who habitually remain within their cells and/or have few possessions.
- who are purchasing items for others and/or swapping property.
- who neglect personal hygiene, eating and/or other daily living activities.
- who repeatedly break prison rules (this can sometimes be due to a lack of cognitive capacity).

This is not an exhaustive list. It should also be noted that these behaviours may be common from some prisoners who habitually live this way and there are no live safeguarding risks.

Prisons must ensure the local authority where they are located is informed when staff consider that a prisoner may have care and support needs. The local authority is responsible for completing a needs assessment for care and support.¹²

In Wales:

A report should be made whenever there are concerns for an adult at risk who:

- is experiencing or is at risk of abuse or neglect,
- has needs for care and support (whether or not the authority is meeting any of those needs), and
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.¹³

¹⁰ [Wales Safeguarding Procedures – The Statutory Duty to Report Explained](#)

¹¹ [Care and support statutory guidance - GOV.UK \(www.gov.uk\)](#)

¹² [PSI 75/2011 Residential Services](#)

¹³ [S.126 of the Social Services and Well-being Act 2014](#)

Annex A

Adult Social Care

Each Prison should have a Social Care Lead who is responsible for liaising with the local authority.

Prisons must also ensure the local authority is informed if they become aware of a prisoner's possible care and support needs during their time in custody.

P-NOMIS social care 'alerts' must be used during custody and pre-transfer or release, to record any safeguarding concerns, referrals made, the outcome of any assessment and content of any care and support plan in place.¹⁴

Relevant Guidance:

Adult Social Care

This policy provides details of the relevant elements of the Care Act 2014 and the Social Services and Wellbeing (Wales) Act 2014.

In relation to safeguarding adults in our care, this policy covers:

- Governance and Partnerships
- Communication, Identification, Referral
- Enabling Assessments
- Care and Support Plans
- Transfer and Discharge Arrangements
- Care Plan Review
- Advocacy
- Enabling Care and Support Services

¹⁴ [PSI 03/2016 Adult Social Care](#)

Annex B

Local Authorities and Safeguarding Adult Boards/Safeguarding Boards

Local Authorities are required to provide assessments and care and support services for 'adults at risk' in prisons and Approved Premises, on the basis of equivalence to people living in the community (including those under our supervision).¹⁵ A reciprocal duty is placed on local authorities and its relevant partners to cooperate in relation to care and support functions. These partners include HMPPS.

There is a statutory duty for local authorities in England and Wales to establish Safeguarding Adults Boards (SABs) (Safeguarding Boards in Wales) to help and protect adults who have care and support needs and face risks of abuse or neglect as a result.

Membership includes the local authority, NHS and Police. Prison Governors and Probation Delivery Units may be invited to become members and are encouraged to be proactive in engaging with SABs.

The Safeguarding Lead for a Probation Region should ensure there is appropriate management representation at local SABs within the Region. They must also ensure information sharing agreements are in place where necessary.

Middle managers and Senior Probation Officers must ensure that staff are aware of and familiar with the local authority procedures and pathways for making a referral.

The Safeguarding Lead must ensure relevant learning from safeguarding adults reviews and other multi-agency reviews is cascaded throughout the Division and that a positive learning environment exists.

In Wales, the Probation Service is a statutory member of each Safeguarding Board and Prisons are encouraged to be proactive in engaging with them.

¹⁵ Care Act 2014 (England) and the Social Services & Wellbeing (Wales) Act 2014 - [Social Services and Well-being \(Wales\) Act 2014](#)

Annex C

Supporting Women

Women in contact with the criminal justice system are amongst the most vulnerable in society, in both the prevalence and complexity of their needs. Many experience chaotic lifestyles involving substance misuse, mental health problems, homelessness, and offending behaviour – these are often the product of a life of abuse and trauma. More than 60% of female offenders have experienced domestic abuse. The rate of self-harm is nearly nine times higher in women's prisons than the male estate. Women in our care may also experience pregnancy, mother and baby units, and maternal separation from children.

Staff need to be alert and responsive to the trauma that many women in our care have faced. The core values of trauma responsive care are:

- **Safety** – we work to ensure that women in our care always feel physically and emotionally safe.
- **Trustworthiness** – we ensure that the expectations on staff relationships with women in our care are clear, and we maintain appropriate boundaries.
- **Choice** – we consider the woman's preferences in relation to their support and treatment.
- **Collaboration** – we encourage and value input from the women in our care to regime and practices.
- **Empowerment** – we recognise the woman's strengths and support them in increasing their skills to enable them to break the cycle of reoffending.

Relevant Guidance:

Women's Group Policy

This policy framework sets out the MoJ's expectations for the delivery of services for working with women in custody and the community. It enables staff to be aware of the gender-specific issues that affect women and respond appropriately to ensure that their different needs are consistently met.

Annex D

Transition from YCS to Adult Estate

The move from a children and young people secure estate (CYPSE) involves a significant change in environment, regime, and peer group for those in custody and can be unsettling for many young people who may be particularly vulnerable during this stage of their custodial journey.

Whilst turning 18 means that a young person legally becomes an adult overnight, the transition to adulthood is a process not an event – and this process differs from one person to another. Some young people over 18 might require additional support to be safe and well during this phase of their lives, even though they might not have formally defined care and support needs.

Young people who move from the CYPSE to an adult site are vulnerable by virtue of their age and due to them being in the process of maturing. This in combination with the distinctively different nature of the CYPSE and the adult estate means that even the simplest of transitions could be the source of great anxiety for young people who are preparing for their transition.

Adult sites should help alleviate the anxiety experienced by young people in relation to their transition. Active engagement between the adult site and the young person, for example through a visit, whilst they are in the CYPSE has proven to be especially successful in both re-assuring the young person and help form the basis for a relationship between the young person and staff who will be responsible for their care in the secure setting they are moving to.

Staff involved in the transition of a young person moving from a CYPSE to adult prison should also consider:

- working with community partners
- ensuring relevant information is transferred from the youth to adult estate
- the specific needs of people in this cohort, i.e. the high prevalence of learning or developmental needs.

Relevant Guidance:

Transition of Young People from the CYPSE to Adult Custody Policy Framework

This policy framework covers:

- Requirements
- Transition Planning
- Constraints
- Further Information and Guidance

Annex E

Domestic Abuse

The statutory definition of domestic abuse contained within the Domestic Abuse Act 2021¹⁶ is comprised of three sections:

Section 1: Definition of “domestic abuse”

- (1) This section defines “domestic abuse” for the purposes of this Act.
- (2) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if—
 - (a) A and B are each aged 16 or over and are personally connected to each other, and
 - (b) the behaviour is abusive.
- (3) Behaviour is “abusive” if it consists of any of the following—
 - (a) physical or sexual abuse;
 - (b) violent or threatening behaviour;
 - (c) controlling or coercive behaviour;
 - (d) economic abuse (see subsection (4));
 - (e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

(4) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to –

- (a) acquire, use or maintain money or other property, or
- (b) obtain goods or services.

(5) For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

(6) References in this Act to being abusive towards another person are to be read in accordance with this section.

Section 2: Definition of “personally connected”

- (1) Two people are “personally connected” to each other if any of the following applies —
 - (a) they are, or have been, married to each other;
 - (b) they are, or have been, civil partners of each other;
 - (c) they have agreed to marry one another (whether or not the agreement has been terminated);
 - (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
 - (e) they are, or have been, in an intimate personal relationship with each other;
 - (f) they each have, or there has been a time when they each have had, a parental

¹⁶ [Domestic Abuse Act 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

relationship in relation to the same child (see subsection (2));
(g) they are relatives.

(2) For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if —

- (a) the person is a parent of the child, or
- (b) the person has parental responsibility for the child.

(3) In this section —

- “child” means a person under the age of 18 years;
- “civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004;
- “parental responsibility” has the same meaning as in the Children Act 1989;
- “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

Section 3: Children as victims of domestic abuse

(1) This section applies where behaviour of a person (“A”) towards another person (“B”) is domestic abuse.

(2) Any reference in this Act to a victim of domestic abuse includes a reference to a child who —

- (a) sees or hears, or experiences the effect of, the abuse, and
- (b) is related to A or B. Domestic Abuse Statutory Guidance Framework 16

(3) A child is related to a person for the purposes of subsection (2) if —

- (a) the person is a parent of, or has parental responsibility for, the child, or
- (b) the child and the person are relatives.

(4) In this section – “child” means person under the age of 18 years; “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3 of that Act); “relative” has the meaning given by section 63(1) of the Family Law Act 1996.

Reporting

Any suspected domestic abuse should be reported. Staff should refer via local authority safeguarding adult mechanisms. Staff should also consider referral/re-referral to MARAC and to the Domestic Violence Disclosure Scheme.¹⁷ It is important to talk to the suspected domestic abuse victims to ensure that there is a safe way to manage this referral.

¹⁷ [Domestic Abuse Policy Framework](#)

Annex F

Wider Information

The scope of this charter means it does not cover information relating to safeguarding children in custody or under supervision in the community. It also does not cover safeguarding adults and children (including visitors to prisons) at risk from people in custody or subject to supervision i.e. where they relate to our public protection responsibilities.

Some of the policies linked within this charter contain information about these wider safeguarding responsibilities. You may also wish to refer to the below policies / processes:

[HMPPS Child Safeguarding Policy Framework \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

[Safeguarding and child protection in the children and young people secure estate policy framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/safeguarding-and-child-protection-in-the-children-and-young-people-secure-estate)

[Report child abuse - GOV.UK](https://www.gov.uk/report-child-abuse)

[Working together to safeguard children - GOV.UK](https://www.gov.uk/government/policies/working-together-to-safeguard-children)