

## Enhanced Care for Older People Learning Session Number 14

### Discriminatory Abuse : Hidden in Plain Sight !

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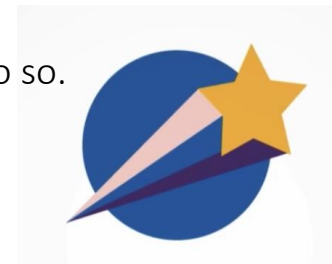


**EnCOP**  
Enhanced Care for Older People

**EnCOP Lead: Lynne Shaw Date: Tuesday 17<sup>th</sup> January 2023**

## Housekeeping

- Please ensure microphones are muted and during presentation cameras are turned off.
- The event will be recorded and shared.
- The webinar recording and presentation will be circulated and uploaded on to the website following the event.
- If you have any questions during the session then please use the chat facility. We will attempt to address questions, if we can't then we will follow up after the event.
- Please also use the chat facility to inform us of any technical issues as this will be monitored closely throughout by one of the EnCOP team.
- Occasionally you may have difficulty seeing or hearing video clips that are played, this will usually be due to your own device or software settings and not something we can influence during the webinar session. Please be assured all content will be shared following the event so you will have an opportunity to view afterwards.
- If you need to take a break at any time throughout the session please feel free to do so.



# Session Aim & Linked Competencies

- **Aim: To raise awareness about discrimination and discriminatory abuse**

## **Linked EnCOP Domains:**

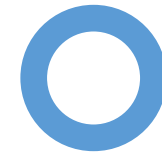
<b>Domain A: Values, Attitudes and Ethical Practice</b>
<b>Domain B: Evidence Based Care : Supporting learning, leadership and improving care for older people</b>
<b>Domain C1: Partnership working and communication with older people, families and others</b>



# **Discriminatory Abuse**



# **Hidden in Plain Sight!**



**South Tyneside  
Safeguarding Children  
and Adults Partnership**



# Aim of Briefing Session



- Provide an overview of the National Reference Group and background to the work
- Examine how the Care Act 2014 and Protected Characteristics link to this theme
- Determine what you understand about Discrimination and Discriminatory Abuse?
- Karl Mason - Practice Guidance
- Update on National and Local Picture
- Questions for consideration moving forward








# National Reference Group – the journey so far

Discriminatory abuse workstream stemmed from a combination of two improvement priorities (20 and 21) from the National Analysis of Safeguarding Adult Reviews: April 2017- March 2019

Group is facilitated by CHIP and members of the reference group from a range of SAB's / Adult Safeguarding partners (national)

Round Table event 14/07/2022 to look at emerging themes and questions



# Practice Guidance in Work with Discriminatory Abuse

Karl Mason, Lecturer in Social Work,  
Royal Holloway, Uni of London



# Background

- Low identification – what might this mean for practice?
  - We might be working with discriminatory abuse as forms of physical abuse or financial abuse – but if discriminatory dynamics are not acknowledged, have we fully appreciated impact and wellbeing issues?
  - Low reporting may also be due to stigma given protected characteristics are involved – how do we open and build relationships to allow these conversations to occur?
- Workshops with practitioners – what did they say about practice?
  - Difference in confidence levels might depend on the group affected – working with ageism, disability discrimination or mental health stigma more familiar, more concern about working with religion, LGBTQ+, race
  - Practitioner concern re lack of knowledge, concern about causing offence: How can we draw transferrable skills across

# Identification Discriminatory Abuse 1

- How do you identify if a person participating in a safeguarding enquiry has protected characteristics? (Visible / Hidden)
- People may have multiple protected characteristics. Intersectional approaches are therefore essential.
- These conversations are sensitive – people may not feel able to acknowledge discriminatory experiences due to shame or embarrassment.
- They may have experienced discrimination from professionals too – and might not trust you.
- Can we involve advocacy, peer support, others?

# Identification Discriminatory Abuse 2

- Discrimination is experienced by many people on an everyday basis, its part of daily life. It might therefore be hard to pinpoint an experience as discriminatory or abuse. This can only be opened up in conversations about daily life, interactions in the community, relationships with others (neighbours, friends, family, professionals etc).
- Discrimination is nested within social contexts. For example, poor neighbourhood safety, poor housing or poverty may mean that people with protected characteristics do not feel able to participate or access their community safely.

# Skills for Working with Discriminatory Abuse: Making Safeguarding Personal

‘Making Safeguarding Personal’ emphasises a person-led approach, and this can provide a vehicle for effective work with people who have protected characteristics and experience forms of abuse or neglect, where discrimination may have motivated this. This should be culturally informed, affirmative and respectful of people's protected characteristics

# Skills for Working with Discriminatory Abuse: Communication Skills

This work is extremely sensitive and may be difficult to talk about (stigma / shame). This requires practitioners to engage with empathy, show understanding this sensitivity, and build rapport and supportive relationships. Some possible approaches may include:

- “People may be targeted by others because they are seen as different – possibly because of (e.g., ethnicity, sexuality, age, disability etc.). Do you think this might connect with what has happened to you?”
- “Have you ever felt unsafe because of your (e.g., ethnicity, sexuality, age, disability etc.)?”
- “You have told me that you believe (e.g., racism, homophobia, ageism, ableism etc.) may have motivated the abuse you experienced. Does this (e.g., racism, homophobia, ageism, ableism etc.) affect your ability to feel safe and to participate in your community?”
- Tell me about a day in your life... how accessible and friendly is your neighbourhood...

For all of above: Can you tell me about a time when you felt this way? Do you think this might still be happening? Do you think this might this happen in the future? Tell me more about this?

These are suggestions for starting a conversation, not a script. In discussion, if a person indicates that discrimination did not take place, practitioners should think about any barriers to disclosing this (stigma, shame, etc.) before discounting it.

# Awareness of local (and national) support services

Ensure that you are aware of community services that support those with protected characteristics in your local area. Some examples include:

- Black, Asian and minority ethnic (BAME) includes a range of services that support people from Black, Asian and other minoritised ethnic communities with their mental health across the country <https://www.mentalhealth.org.uk/a-to-z/b/black-asian-and-minority-ethnic-bame-communities>
- Lesbian, gay, bisexual and trans (LGBT+) includes information and advice, and some specialist support services for older people who are LGBTQ+ <https://www.ageuk.org.uk/information-advice/health-wellbeing/relationships-family/lgbt/>
- Disability hate crime links provides information about disability hate crime and some of the services that can help <https://www.disabilityrightsuk.org/reporting-disability-hate-crime-links>

Take some time to find out about other services that you have locally, to support those with protected characteristics



# Skills for Working with Discriminatory Abuse: Reflective Practice

- Working with discrimination involves engaging with macro and micro power dynamics, rights and inclusion – what it feels like to be able to fully participate in society without fear of othering or discrimination
- Therefore links with professional (and personal) ethics and values, as well as being open and curious about experiences you are not familiar with and change familiar ways of thinking and working
- Reflecting on our own role in potentially underestimating the importance of protected characteristics, our own values and biases and the ways in which organisational factors impact on this is important – our own practice and organisation can itself reinforce stigma – how can we guard against this?

# Referencing this practice guidance

Mason, K (2022) *Developing Practice with Discriminatory Abuse*, Dartington: Research in Practice (01 June 2022)

<https://www.researchinpractice.org.uk/adults/news-views/2022/june/developing-practice-with-discriminatory-abuse/>

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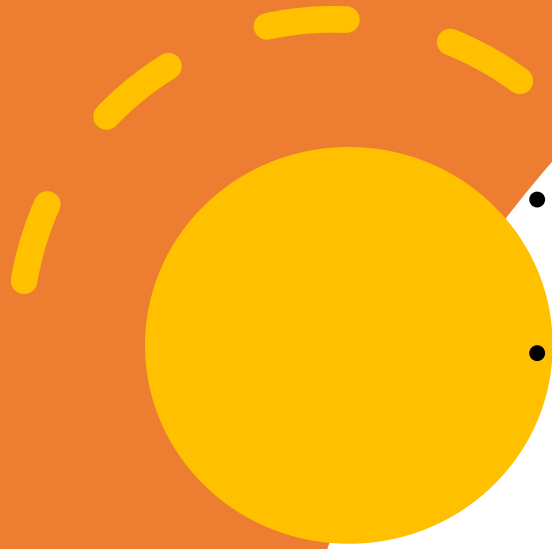
# National SAR Analysis Findings



**Improvement Priority Twenty:** This research highlights the need for better recording of ethnicity in SARs. Terms of reference for all SARs must include consideration of how race, culture, ethnicity and other protected characteristics as codified by the Equality Act 2010 may have impacted on case management, including recognition of unconscious bias.

**Improvement Priority Twenty-One:** Consideration should be given to the dissemination of briefings on good practice regarding all forms of abuse and neglect but especially those newly highlighted by the Care Act 2014 within adult safeguarding, such as domestic abuse, modern slavery and discriminatory abuse (hate and mate crime).

# How do you understand issues of Discriminatory Abuse in your area / organisation?



- Abuse of people with needs for care and support
- Forms of harassment, bullying, slurs, isolation, neglect, denial of access to services or similar treatment; because of race, gender and gender identity, age, disability, religion or because someone is lesbian, gay, bisexual or transgender. This includes racism, sexism, ageism, homophobia or any other form of hate incident or crime
- Far right discrimination, Hate Crime and Mate crime

## **Which communities are most affected / at risk and how?**

- Safeguarding adults data would suggest that 78% of our discriminatory abuse concerns relate to working age adults.
- Disability Hate Crime identified that men were slightly more likely to be a victim of disability hate crime.
- During Covid there was a peak with Black Life's Matter, BAME communities, people with disabilities (including learning disabilities), LGBT groups and communities
- Hate crime and the patterns and trends that are seen, with a particular focus around disability hate crime

**Reports of discriminatory abuse are historically low, and identifying trends is therefore difficult**

# What work are you undertaking around this type of abuse?

- Understanding the interface between reporting of hate incidents/crimes and safeguarding adults procedures
- Review data and the makeup of discriminatory abuse, (does it relate to a protected characteristic) assists in gaining a truer reflection. Creation of sub category information related to this form of abuse.
- Difficult to recognise, often secondary form of abuse or even hidden; necessity to include in MA training and tackling issues such as extremism through education in schools
- Closed environments have the potential for discriminatory abuse to occur, focus for SAB's and wider partnerships to promote safer cultures.





**Can you name the 9  
Protected  
Characteristics of the  
Equality Act 2010?**



# Equality Act 2010

## Protected Characteristics

*Equality Act 2010, UK Public General Acts 2010 c. 15 Part 2, Chapter 1, Section 4*

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation



# Discrimination and Discriminatory Abuse

The Care and Support Statutory Guidance supports the implementation of the Care Act, 2014. This document defines discriminatory abuse as:

[. . .] forms of harassment, slurs or similar treatment because of race, gender and gender identity, age, disability, sexual orientation, religion”. (Section 14.17)



# Discrimination and Discriminatory Abuse

Discrimination is abuse that focuses on a difference or perceived difference.

This may involve race, gender, disability, or any of the [protected characteristics of the Equality Act](#).

**In UK law, it's illegal to discriminate against anyone based on the protected characteristics**

## Definition:

Two forms of abuse can be incorporated in all other forms of abuse, including all types of mistreatment due to a person's race, gender, disability, faith, culture, human traits or sexual orientation. Discriminatory abuse is the refusal of authority to deny the vulnerable adult all their basic human rights.

The vulnerable adult can be left feeling frightened and that they are at risk of being harmed. Discriminatory abuse can be where a person's cultural or religious needs are not considered, and the provision of care is not equally provided for the individual person.



People are legally protected from discrimination in the following settings:

- At work and in education
- As a consumer (i.e. while shopping)
- When using public services
- When buying or renting property
- As a member or guest of a private club or organisation.

**You're also protected from discrimination if you're associated with someone who has a protected characteristic, for example a family member or friend**





## What Does Discriminatory Abuse Look Like?

Discrimination may take on a number of forms.

**Direct Discrimination.** Treating someone with a protected characteristic less favourably than others.

**Indirect Discrimination.** Putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage.

**Harassment.** Unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates a hostile environment for them.

**Victimisation.** Treating someone unfairly because they've complained about discrimination or harassment.

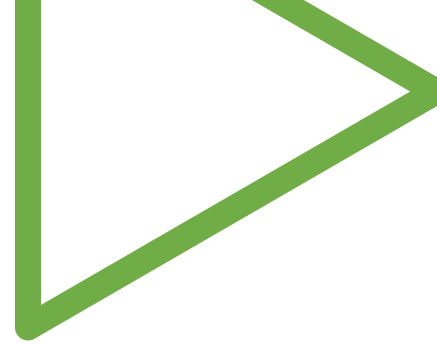
**Discrimination can happen at work, on the streets, or even in an environment that's supposed to be "safe", such as a school or a care home.**


# Reasonable Adjustments

*People with disabilities have exactly the same rights as everyone else. Employers are legally required to make “reasonable adjustments” to help any workers or applicants with disabilities.*

These reasonable adjustments may include:

- Application forms (for example, providing forms in Braille or audio formats)
- Aptitude tests (for example giving extra time to complete the tests)
- Interview arrangements (such as providing wheelchair access or communicator support)
- Making sure the workplace has the right facilities and equipment for workers with disabilities
- Terms of employment, including pay
- Work-related benefits, such as access to recreation or refreshment facilities





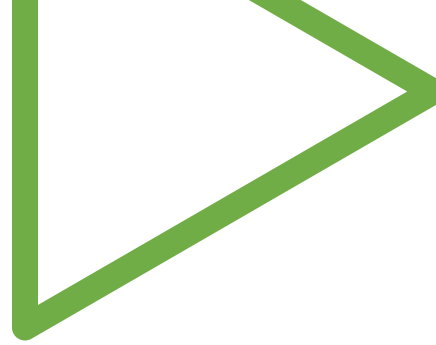
Discriminatory abuse is a category of abuse in safeguarding adults work, but it is rarely reported in practice.

Messages from research and safeguarding adults' reviews highlight that discrimination might be obscured in practice and reporting may be low due to stigma.

This has implications for practice skills and how we approach safeguarding work where those affected by abuse or neglect also have protected characteristics.

# **Karl Mason**

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# The Stark Reality

Less than 1 per cent of the 149,540 Section 42 safeguarding enquiries raised in 2020/21 were linked to Discriminatory Abuse (Safeguarding Adults, England, 2020-21: Experimental Statistics).

Only two of the 399 Safeguarding Adults Reviews from 2017-19 were completed under the category of Discriminatory Abuse (Analysis of Safeguarding Adult Reviews April 2017 – March 2019).

Rates of reported disability hate crime – an allied form of abuse – have increased in recent years. A total of 9,208 disability hate crimes were reported in 2020/21 (an increase of 9 per cent on the year before and an increase of 449 per cent since 2012) (Hate Crime Statistics).

# The Stark Reality – South Tyneside

	Discriminatory			
	18/19	19/20	20/21	21/22
Primary	0	0	0	1
Secondary	2	4	5	4

# Good Practice Moving Forward

- Get involved with the conversation
- Ask the questions:

**How do you understand issues of Discriminatory Abuse in your area / organisation?**

**Which communities are most affected / at risk and how?**

**What work are you undertaking around this type of abuse?**

- Consider how you start to disseminate key messages and incorporate  
across learning
- Is the Safeguarding Adults System in itself Discriminatory and if so what can you do to create change and safer cultures?

**Questions?**





# Resources and Information

[Ann Craft Trust](#)



[STSCAP Multi-Agency Policies and Procedures \(Adults\)](#)



[STSCAP Multi-Agency Policies and Procedures \(Children\)](#)



[Discriminatory Abuse : A Briefing for Practitioners](#)



# Report Concerns



Children: ISIT  
**0191 4245010**

Adults - Let's Talk Team:  
**0191 4246000**

Out of Hours Team:  
**0191 4562093**

Police:  
**999 or 10**

**CQC : 03000 616161** or Email: [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)

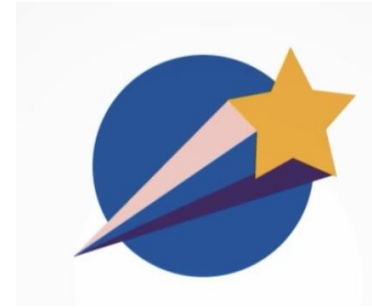




**Thank you!**

Thanks





## Ideas for Learning Consolidation & Competency Conclusion

### **Consolidating Learning:**

#### **Reflection on the session & considering application to practice & what this means 'your people'**

- Think about this session in relation to your own role
- How much of this was revision?
- What have you learned today ?
- How will this help you in your role ?
- Think about your EnCOP self–assessment; consider which performance indicators this session may relate to and how this can be used as part of your own development / competency achievement.

**A: Values, Attitudes and Ethical Practice**

**B: Evidence Based Care : Supporting learning, leadership and improving care for older people]**

**C1: Partnership working and communication with older people, families and others**

Feedback about today's session and any future sessions you may like to see included in our webinar series....

All feedback welcomed; You may want to consider the following –

Was it easy to book onto the session?

Did you find the session went well in this online format ?

Was the content of the session relevant to your area of practice / job role?

Did you enjoy the session?

Thinking about future webinar's, which topics linked to older person's care would you be most interested in?

Please put any suggestions in the chat.

Please comment in the chat today or feel free to email us: [ghnt.encop@nhs.net](mailto:ghnt.encop@nhs.net)





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the Frailty icare website**

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

Our EnCOP pages are located in the  
workforce section

**EnCOP Library of Learning &  
Development Resources can be found**

at:

<http://frailtyicare.org.uk/making-it-happen/workforce/enhanced-care-of-older-people-with-complex-needs-encop-competency-framework/encop-learning-resources/learning-resources/>

