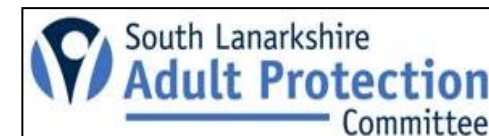


## Adult support and protection and sexual harm in care homes

North and South Lanarkshire Adult Protection Committees recognise the challenges that come with recognising, responding and supporting people who have been subject to sexual harm and abuse. It requires a sensitive, supportive and responsive approach. There are added complexities when the survivor and/or person who have caused the harm are living in a care home and have additional support needs. This guidance provides an overview of what sexual harm is and how to support and protect the survivor of sexual harm and abuse. It outlines what to consider when a resident's sexualised behaviour is changing due to for example cognitive decline. Finally, it considers the importance of managerial oversight and how managers can best support their staff. This 7M briefing should be read in conjunction with [the Adult Support and Protection and sexual harm in care home guidance](#).



### Support for staff and oversight from management

We all naturally have different personal values and attitudes about sex and relationships. This can lead to barriers to support and protect adults from risk of sexual harm. As a manager/team leader it is important that you speak openly with your staff about some of the complexities around sexual harm and changes in sexualised behaviour. It may be helpful to consider the topic throughout supervision or team meetings. These situations are difficult for all involved and require robust management oversight.

### Prevention and support - when sexualised behaviour changes

Sometimes due to people's conditions their sexual behaviour may change. When an individual presents with behaviour that is deemed sexually inappropriate or not within their normal known behaviour – it is important to assess their needs and any risk to themselves or other people. Staff should follow their assessment and review processes and escalate where required.

### What should you do?

Regardless of the survivor's age, capacity or ability they require and have the right to receive support and care. You should report any concerns regarding sexual harm directly to your manager. If the person **requires immediate medical attention**, contact NHS. If a resident within your care home has been sexually harmed, regardless of whether they or the alleged harmer has been deemed to have capacity or not you should contact Police Scotland on **101, immediately the same day**. [Adult Support and Protection \(Scotland\) Act 2007](#) is clear, when you **know or believe** that the sexual harm involves an "adult at risk of harm" this must be reported to social work.

### Indicators of sexual harm

A person who has been sexual harmed or abused may not be able to verbalise what has happened to them. It is therefore really important to consider what some of indicators of sexual harm or abuse may be. Including: change in behaviour and language, wetting or soiling, depressing, difficulty mobilising and physical discomfort, disclosure, secrecy and reluctance to engage.

Sexual harm and abuse can occur in any setting, including care homes. It may be perpetrated by someone visiting, working in or living in the care home. Sexual harm and abuse occur when a harmer engages in physical acts of penetrative or non-penetrative contact sexual activity or non-physical sexual activity, involving visual or auditory exposure to sexually explicit material, with a survivor who is unable to consent to or refuse such activity.

### Capacity and consent

Regardless an adult's illness or disability, our starting point should be that an adult has the right and capacity to engage in consensual sexual relationships. A person consents if they: **agree by choice and have the freedom and mental capacity to make that choice**. If there are concerns regarding a person's capacity to consent general good practice principles, highlighted in [Consenting Adults - Mental Welfare Commission \(2021\)](#) should be applied.

