Undertaking Safeguarding enquiries policy and procedures

Adult Social Care

18 July 2016
Undertaking Adult Safeguarding Enquiries

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ISSUED BY: Lynn Wild
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PROCEDURES CANCELLED OR AMENDED: This is an interim policy and is subject to further review once Pan London is available.
DMG LEAD Lynn Wild
DMT SPONSOR Derek Oliver
DESIGNATION: Assistant Director

AS A MANAGER YOU SHOULD ENSURE THAT:-

- You read, understand and, where appropriate, act in accordance with the procedure
- All staff in your teams are aware of this procedure, its content and you must ensure that all staff act in accordance with it
- This document is accessible to all your team members.

AS AN OFFICER OR MEMBER OF STAFF YOU SHOULD ENSURE THAT:-

- You read, understand and, where appropriate, act on this information
- Discuss any issues with your manager or supervisor which you do not understand
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Executive Summary

The Care Act and working towards Making Safeguarding Personal requires a new framework for undertaking enquiries into suspected adult abuse. The 4 stage process outlined below is to support staff in undertaking enquiries which are person centred and outcomes focussed.

1. **Legal and policy context**

1.1 All adult safeguarding occurs within the legal framework of the Care Act 2014. The statutory Care Act Guidance defines Adult safeguarding as:

   “Protecting as adults right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, whilst at the same time making sure that the adult’s wellbeing is promoted.”

1.2 The following 6 principles underpin for all adult safeguarding work:

<table>
<thead>
<tr>
<th>Empowerment</th>
<th>People being supported and encouraged to make their own decisions and informed consent.</th>
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</thead>
<tbody>
<tr>
<td>Prevention</td>
<td>It is better to take action before harm occurs.</td>
</tr>
<tr>
<td>Proportionality</td>
<td>The least intrusive response appropriate to the risk presented.</td>
</tr>
<tr>
<td>Protection</td>
<td>Support and representation for those in greatest need.</td>
</tr>
<tr>
<td>Partnerships</td>
<td>Local solutions through services working with their communities.</td>
</tr>
<tr>
<td>Accountability</td>
<td>Accountability and transparency in delivering safeguarding.</td>
</tr>
</tbody>
</table>

1.3 This policy details the actions which will be taken in terms of the Boroughs Local Safeguarding Adults Protocol.

2. **Definition and purpose of Adult Safeguarding**

2.1 Safeguarding is defined as ‘protecting an adult’s right to live in safety, free from abuse and neglect.’ (Care Act Statutory Guidance Chapter 14)

2.2 Safeguarding Adults is about preventing and responding to concerns of abuse, harm or neglect of adults. Professionals should work together in partnership with people so that they are:

- Safe and able to protect themselves from abuse and neglect
• Treated fairly and with dignity and respect
• Protected when they need to be
• Able easily to get the support, protection and services that they need.

2.3 The aims of Adult Safeguarding are to:

• Stop abuse or neglect wherever possible;
• Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
• Safeguard adults in a way that supports them in making choices and having control about how they want to live;
• Promote an approach that concentrates on improving life for the adults concerned;
• Raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect;
• Provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult; and
• Address what has caused the abuse.

3. Types of adult abuse

3.1 The Care Act statutory guidance, Chapter 14.17 details types of abuse defined in the Act. Care and support statutory guidance

• Physical abuse
• Sexual abuse
• Psychological abuse
• Financial or material abuse
• Modern slavery
• Discriminatory abuse
• Organisational abuse (see making safeguarding enquiries at an organisational level)
• Neglect and acts of omission
• Domestic abuse
• Self-neglect

4. Using procedures proportionally

4.1 Procedures are a means for staff to balance principles of protection and prevention with individuals’ self-determination, respecting their views, wishes and preferences in accordance with Making Safeguarding Personal.
4.2 They are a framework for managing safeguarding interventions through strong multi-agency partnerships that provide timely and effective prevention of and responses to abuse and neglect. MSP means any concern should be person-led and outcome-focused.

4.3 Processes should be adapted to suit service user’s preferences, histories, circumstances and life-styles.

5. **Overview of 4 Stage process**

5.1 LBRUT use a 4-stage process shown below:

5.2 Activities and actions at each stage are summarised below:

<table>
<thead>
<tr>
<th>Focus</th>
<th>Actions</th>
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</thead>
<tbody>
<tr>
<td><strong>Stage 1</strong></td>
<td>Concerns raised</td>
</tr>
<tr>
<td></td>
<td>1. <strong>Raising concern</strong></td>
</tr>
<tr>
<td></td>
<td>• disclosure by person,</td>
</tr>
<tr>
<td></td>
<td>• concern by others</td>
</tr>
<tr>
<td></td>
<td>• observations, analysis of trends /events</td>
</tr>
<tr>
<td></td>
<td>2. <strong>Establish</strong></td>
</tr>
<tr>
<td></td>
<td>• risks and immediate actions</td>
</tr>
<tr>
<td></td>
<td>• Mental capacity</td>
</tr>
<tr>
<td></td>
<td>• Need for advocate or IMCA</td>
</tr>
<tr>
<td></td>
<td>• Communication needs</td>
</tr>
<tr>
<td></td>
<td>• Care and support needs</td>
</tr>
<tr>
<td></td>
<td>3. <strong>SU engagement</strong></td>
</tr>
<tr>
<td></td>
<td>• Consent – referral to police and info sharing</td>
</tr>
<tr>
<td>Focus</td>
<td>Actions</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>4. Ensure</strong></td>
<td>• SU is safe</td>
</tr>
<tr>
<td></td>
<td>• Su wishes and expectations are understood</td>
</tr>
<tr>
<td></td>
<td>• Safety of others is addressed</td>
</tr>
<tr>
<td></td>
<td>• Person alleged to cause harm care and support needs are addressed if required.</td>
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<tr>
<td></td>
<td>• Notification of regulator</td>
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</table>

**Stage 2 Enquiry**

1. **Initial enquiry**
   - SAM appointed
   - SAM assigns someone to talk to SU
   - Discussion with SU to determine wishes and desired outcomes
   - SAM plans enquiry with relevant agencies
   - SAM appoints enquiry officer to co-ordinate delivery of actions by relevant parties
   - SAM determine if further enquiry needed and if SG Plan needed

2. **Further enquiry**
   - Enquiry officer presents report.
   - Outcomes decision
   - Evaluation by SU
   - Outcomes for person alleged to have caused harm

3. **Enquiry officer report**
   This should cover:
   - Views of the adult at risk
   - Whether outcomes were achieved
   - Is there evidence that Section 42 criteria was met
   - Whether any further action is required and if so by whom
   - Who supported the adult and if this is an on-going requirement

4. **Outcome decision**
   - The adult has needs for care and support
   - They were experiencing or at risk of abuse or neglect
<table>
<thead>
<tr>
<th>Focus</th>
<th>Actions</th>
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<tbody>
<tr>
<td>They were unable to protect themselves</td>
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</table>

These decisions are made by the SAM in consultation with the adult at risk and others. Further safeguarding action is indicated where there is a high risk of the abuse or neglect reoccurring and the person is unable to protect themselves.

5. **Evaluation by SU:**
   - Were desired outcomes met?
   - Do they feel safer?

6. **Outcomes for person alleged to have caused harm**
   - May involve referral to police, professional body or regulator
   - Note the safeguarding plan is typically part of further enquiry although a separate phase of the process.

<table>
<thead>
<tr>
<th>Stage 3</th>
<th>Safeguarding plan and review</th>
</tr>
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<tbody>
<tr>
<td>1. <strong>The Safeguarding Plan</strong> Set out:</td>
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<tr>
<td>What steps are to be taken to assure the future safety of the adult at risk;</td>
<td></td>
</tr>
<tr>
<td>The provision of any support, treatment or therapy, including on-going advocacy</td>
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<tr>
<td>Any modifications needed in the way services are provided (e.g. same gender care or placement; appointment of an OPG deputy)</td>
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<tr>
<td>How best to support the adult through any action they may want to take to seek justice or redress</td>
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<tr>
<td>Any on-going risk management strategy as appropriate</td>
<td></td>
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</tbody>
</table>

**Clear outline of:**
- outcomes
- roles and responsibilities of all individuals and agencies involved
- Identify the lead professional who will monitor and review the plan, and when this will happen
### Focus
- Review arrangements – though case management of a specific safeguarding review

### 2. Safeguarding Plan Review

**Purpose of review is to:**
- Evaluate the effectiveness of the adult safeguarding plan
- Evaluate whether the plan is meeting/achieving outcomes
- Evaluate risk

**Outcome of review:**
- The adult safeguarding plan is no longer required; or
- The adult safeguarding plan needs to continue

<table>
<thead>
<tr>
<th>Stage 4</th>
<th>Close enquiry</th>
<th>Closure records:</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Reason for closure</td>
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<tr>
<td></td>
<td></td>
<td>Views of the adult at risk to the proposed closure. If the adult at risk disagrees with the decision to close safeguarding down their reasons should be fully explored and alternatives offered.</td>
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</tbody>
</table>

**At the close of each enquiry there should be evidence of:**
- Enhanced social work practice ensuring that people have an opportunity to discuss the outcomes they want at the start of safeguarding activity
- Follow-up discussions with people at the end of safeguarding activity to see to what extent their desired outcomes have been met
- Recording the results in a way that can be used to inform practice and provide aggregated outcomes information for safeguarding adults boards

**Note:** Safeguarding can be closed at any stage
6. Process summary flow chart