

No decision
about me
without me!



Accountability - It is better to take action before harm occurs.

I am clear about the roles and responsibilities of all those involved in the solution to the problem.

Partnership - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

I am confident that information will be appropriately shared in a way that takes into account its personal and sensitive nature. I am confident that agencies will work together to find the most effective responses for my own situation.

Protection - Support and representation for those in greatest need.

I am provided with help and support to report abuse. I am supported to take part in the safeguarding process to the extent to which I want and to which I am able.

Proportionality - The least intrusive response appropriate to the risk presented.

I am confident that the responses to risk will take into account my preferred outcomes or best interests.

Empowerment - People being supported and encouraged to make their own decisions and informed consent.

I am consulted about the outcomes I want from the safeguarding process and these directly inform what happens.

Prevention - It is better to take action before harm occurs.

I am provided with easily understood information about what abuse is, how to recognise the signs and what I can do to seek help.



14.69 When an employer is aware of abuse or neglect in their organisation, then they are under a duty to correct this and protect the adult from harm as soon as possible and inform the local authority, CQC and CCG where the latter is the commissioner.

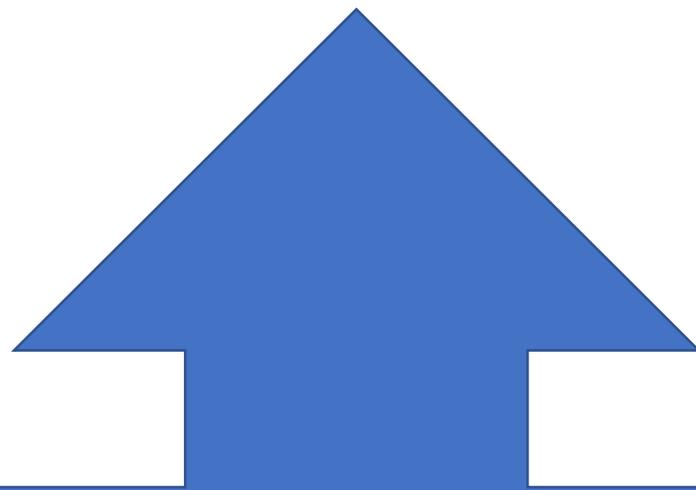
14.70 The employer should investigate any concern (and provide any additional support that the adult may need) unless there is compelling reason why Ait is inappropriate or unsafe to do this.

Section 42

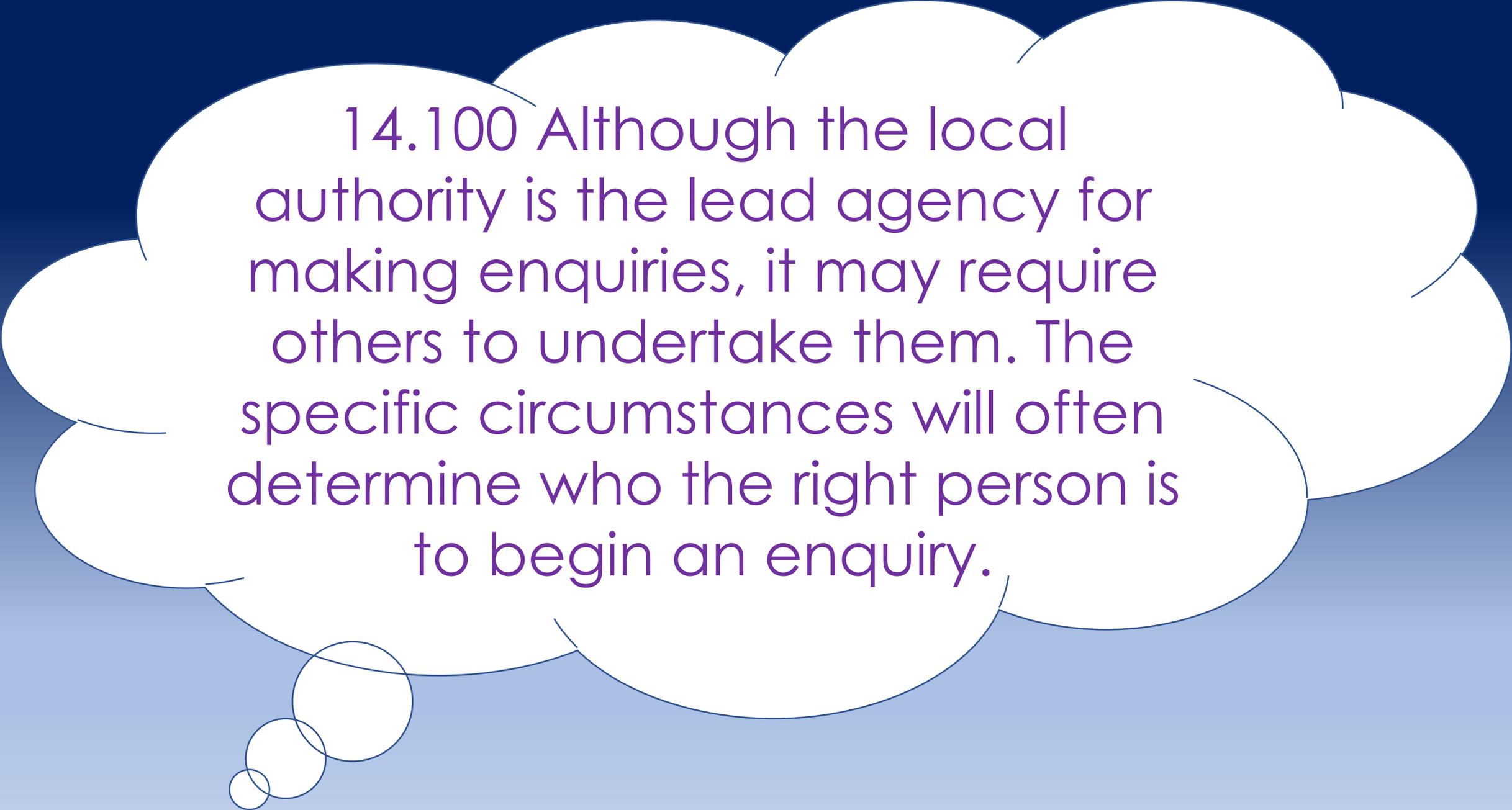
- This section applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there)—
- **has needs for care and support (whether or not the authority is meeting any of those needs),**
- **is experiencing, or is at risk of, abuse or neglect, and**
- **as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.**
- The local authority must make (**or cause to be made**) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom.

The Care Act requires that each local authority must:

make enquiries, or cause others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect (see para. 14.16 onwards). An enquiry should establish whether any action needs to be taken to prevent or stop abuse or neglect 2018 if so, by who. *Care and Support Statutory Guidance 2018*



14.44 Local authorities may choose to undertake safeguarding enquiries for people where there is not a section 42 enquiry duty, if the local authority believes it is proportionate to do so, and will enable the local authority to promote the person's wellbeing and support a preventative agenda.



14.100 Although the local authority is the lead agency for making enquiries, it may require others to undertake them. The specific circumstances will often determine who the right person is to begin an enquiry.

Purpose of the enquiry

- The purpose of the enquiry is to decide whether or not the local authority or another organisation, or person, should do something to help and protect the adult.
- If the local authority decides that another organisation should make the enquiry, for example a care provider, then the local authority should be clear about timescales, the need to know the outcomes of the enquiry and what action will follow if this is not done.
- What happens as a result of an enquiry should reflect the adult's wishes wherever possible, as stated by them or by their representative or advocate. If they lack capacity it should be in their best interests if they are not able to make the decision, and be proportionate to the level of concern.





14.77 An enquiry is the action taken or instigated by the local authority in response to a concern that abuse or neglect may be taking place.

An enquiry could range from a conversation with the adult, or if they lack capacity, or have substantial difficulty in understanding the enquiry their representative or advocate, prior to initiating a formal enquiry under section 42, right through to a much more formal multi-agency plan or course of action.

14.78 The purpose of the enquiry is to decide whether or not the local authority or another organisation, or person, should do something to help and protect the adult. If the local authority decides that another organisation should make the enquiry.

14.80 The adult should always be involved from the beginning of the enquiry unless there are exceptional circumstances that would increase the risk of abuse.

Objectives of an enquiry

14.94 The objectives of an enquiry into abuse or neglect are to:

- establish facts
- ascertain the adult's views and wishes
- assess the needs of the adult for protection, support and redress and how they might be met
- protect from the abuse and neglect, in accordance with the wishes of the adult
- make decisions as to what follow-up action should be taken with regard to the person or organisation responsible for the abuse or neglect
- enable the adult to achieve resolution and recovery.

14.93 The scope of that enquiry, who leads it and its nature, and how long it takes, will depend on the particular circumstances.

It will usually start with asking the adult their view and wishes which will often determine what next steps to take.

Ensuring the person is at the centre

- Put the adult and their wishes and experiences at the centre
- Seek to enable people to resolve, recover and realise
- Key questions for whoever is undertaking the safeguarding enquiry.

What does the person want to happen?



How can we work with people to enable that to happen?

How do we know their outcomes have been understood and our intervention has made a difference?



Does the person feel safer and protected, at the start and throughout the process?



'SCIE has been told of local authoritieswho will only accept a referral after two or more incidents involving a person, and of medication errors being viewed as a safeguarding issue in one local authority, but not in a neighbouring one. This can leave support organisations uncertain how to proceed, and lacking the confidence to challenge local authorities about their decisions. Staff and safeguarding leads in particular, should be aware of what they are entitled to expect from statutory services.' **SCIE 2017**

‘GPs and service providers have mentioned to SCIE that CQC offers helpful guidance and support around safeguarding adults. There are, however, also reports of inconsistent approaches, with different CQC inspectors having a different understanding of what constitutes safe practice, and what should be raised as safeguarding concerns.’ **SCIE 2017**

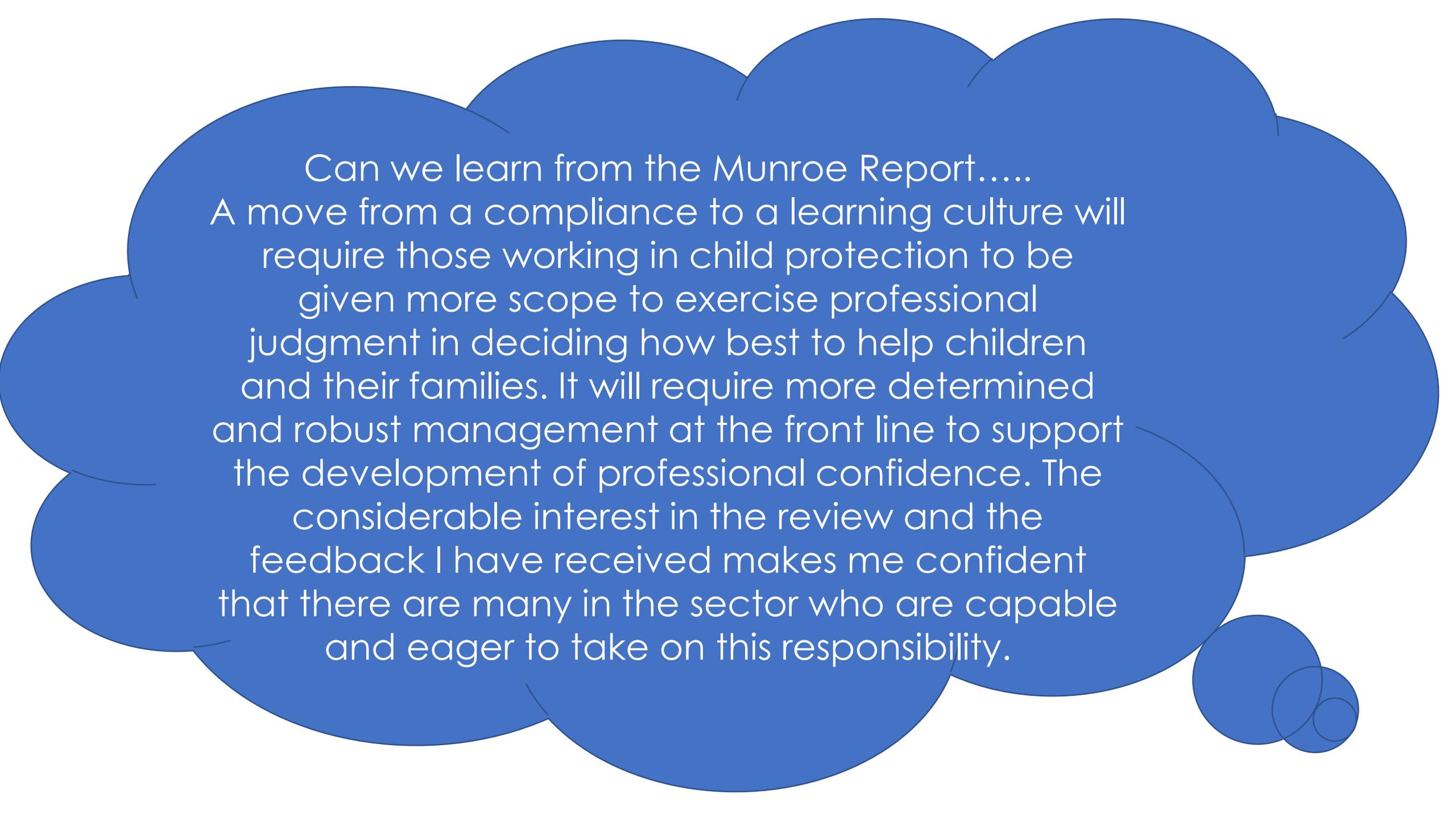
'The Care Act stresses that people being abused, and those making referrals about it to local authority safeguarding teams, should be included and kept informed throughout any safeguarding enquiry.

SCIE, however, is still hearing from providers who report that they are not kept informed about who is dealing with a case, and what is happening to it.' **SCIE. 2017**

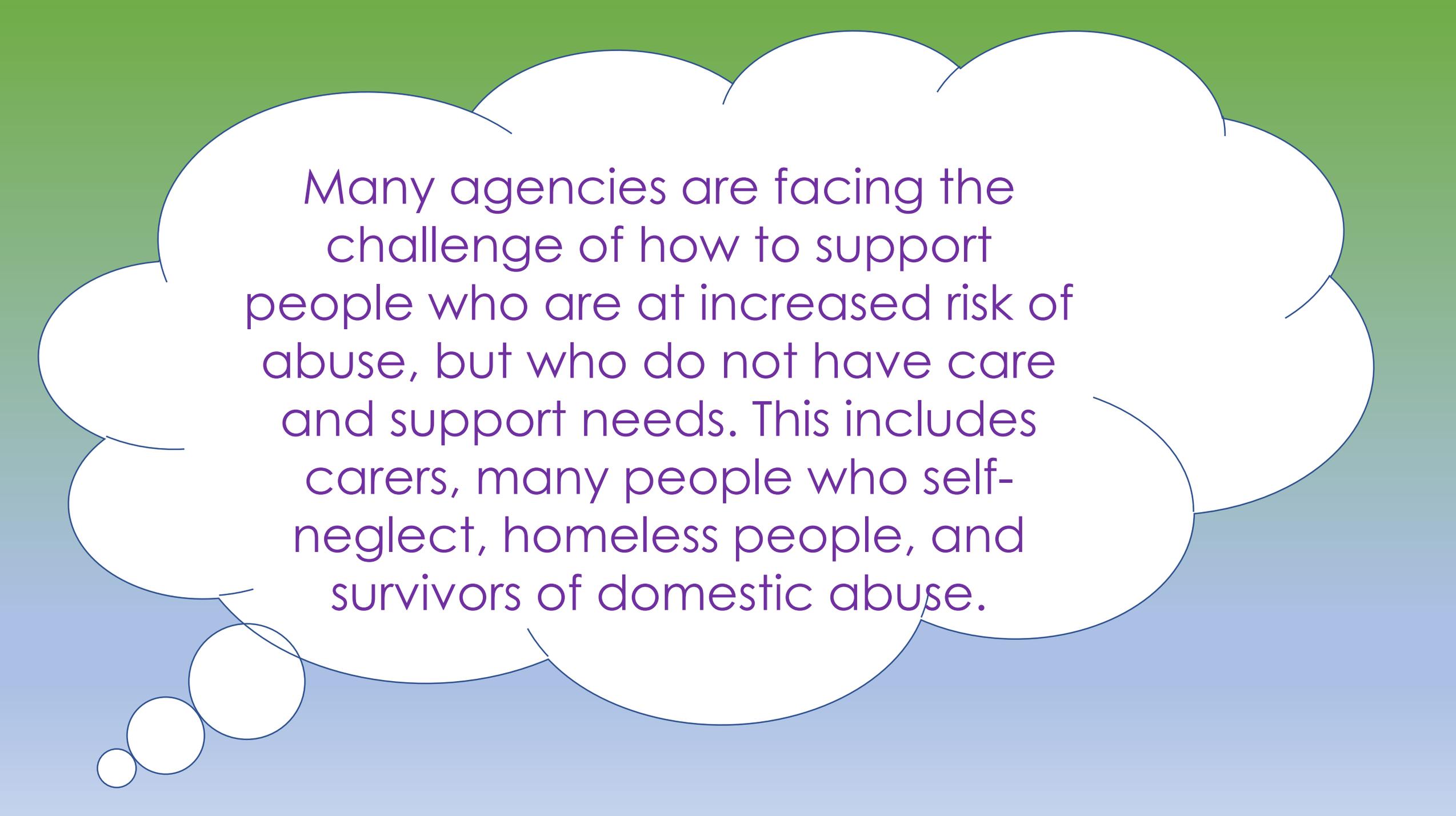
Are Social Care practitioners driven by legislation, statutory guidance and best practice or by resources, a process, budget constraints, staffing issues, recording systems, time constraints, lack of clarity in law and statutory guidance?

Does a better balance need to be struck?





Can we learn from the Munroe Report.....
A move from a compliance to a learning culture will require those working in child protection to be given more scope to exercise professional judgment in deciding how best to help children and their families. It will require more determined and robust management at the front line to support the development of professional confidence. The considerable interest in the review and the feedback I have received makes me confident that there are many in the sector who are capable and eager to take on this responsibility.



Many agencies are facing the challenge of how to support people who are at increased risk of abuse, but who do not have care and support needs. This includes carers, many people who self-neglect, homeless people, and survivors of domestic abuse.

‘What is the point of me being safe if it makes me miserable?’

