

Safeguarding adults

Briefing from the LGA for prospective police and crime commissioners



1. Background

Safeguarding adults is everybody's responsibility. However, local government and the **police** have particular responsibilities.

"No Secrets", statutory guidance, was published by the Home Office and Department of Health in 2000, in response to a number of high profile cases and recognition that adults may be in need of care and support and in circumstances where they are vulnerable and unable to protect themselves from harm or abuse. This sets out key responsibilities for councils, the NHS and police.

Since then practice and guidance has developed significantly, informed by work under the frameworks of Mental Health, Mental Capacity and Care Standards Act, domestic violence law and practice and research and practice relating to such fields as financial crime and vulnerable people and forced marriages.

Every local authority has already established a Safeguarding Adults Board, of which the council, police and NHS are core partners alongside others. Boards may do what they see fit in order to safeguard and protect adults who are in need of care and support and who are at risk of harm and abuse. Typically this includes work on:

- Awareness raising, prevention and the provision of information and advice amongst the local population and professionals
- Work to ensure that more vulnerable adults are included in partnerships' services more widely, such as anti-social behaviour, domestic violence, trading standards and disability hate crime
- Work to ensure that the services that partners provide, such as police responses and health and social care are sufficient to safeguard people's rights and dignity
- Specialist safeguarding responses once concern about harm or abuse has been identified.

The government is currently consulting on the draft Care and Support Bill, which will put adult safeguarding on a statutory footing, and on the potential for new safeguarding powers for adults.

The draft bill sets out proposals to enshrine in legislation much of the practice that has developed from statutory guidance. This includes duties of co-operation between the council, police and NHS, duties to make enquiries once concerns have been raised in relation to safeguarding and duties to decide what action should be taken.

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In practice the resultant actions are a mix of criminal prosecutions, employment action if the circumstances relate to care provision or welfare action to support the people concerned.

2. Current context

Safeguarding is an area of high public and media profile, with the **number of referrals for safeguarding services rising** following the deaths of Stephen Hoskins, Fiona Pilkington and her daughter, and others, and situations in institutions such as Winterbourne View, Ash Court and the Mid Staffordshire hospital.

Teams have experienced increased referrals relating to a range of physical, emotional, sexual and financial abuses and neglect of adults who are in need of care and support.

As our population ages (with increased risk of dementia and other conditions) and as more people are living with severe disabilities and sometimes impaired capacity, there is a challenge within public and private resources to ensure that safeguarding works.

Safeguarding adults is a complex balancing of a range of different factors including:

- Recognising that just because someone has a disability it doesn't mean that they are unable to control what happens in their lives and make decisions about what happens to them
- Recognising that some people are compromised in their ability to safeguard themselves, either because they lack capacity or because they are subject to coercion or undue influence of the person who is harming or abusing them, particularly if they are also reliant on that person (or environment) for care and support
- People's rights to life, and to a life that is free from inhuman or degrading treatment, together with their rights to privacy, autonomy and a family life
- Recognising and acting on the fact that disabled and older people have the same need for and right to access to justice (whether criminal, civil, restorative or social) though they may need additional support to access it

3. Questions to ask the chief constable

Be clear about what you and the Chief Constable need to know and the level of detail you require to assure yourself that your force is effectively safeguarding adults.

- Has the force made arrangements to ensure that the force exercises its functions having regard to the need to safeguard and promote the wellbeing of adults in need of care and support or who are more vulnerable or at risk?
- Do you have effective local protocols?
- What can you tell your local population about police and criminal justice sectors' responses to safeguarding?
- Are all police officers and staff at all levels aware of how to

- safeguard vulnerable adults?
- Are the relevant people well informed and engaging with the Safeguarding Adults Board and case work to provide effective partnership working?
 - Is your police force making the best use of information exchange and effective partnership working between agencies?
 - Do you have a clear understanding of how your force performs? Are you satisfied of the effectiveness of your progress?
 - Are you, the Chief constable and all other relevant individuals constantly up to date with changing government policy and new sector led initiatives concerning vulnerable adults and those at greater risk?
 - Do disabled and older people have the same access to justice as others?

4. How you can engage with councils on this issue

As mentioned above police forces should participate in Safeguarding Adults Boards to ensure engagement with the council and other relevant local agencies.

Every council with safeguarding duties has a councillor that is the lead member for adults' services; a role with responsibility for the political leadership, accountability and direction of the council's services.

In addition, as part of the sector led improvement programme councils are offered a Safeguarding Adults peer challenge. This review looks at how the safeguarding partnership in an area is performing and how it can improve from a critical friend viewpoint. There are often requests for police peers on these reviews. Police peers also engage in the training events for the review programme. For more information:

[Safeguarding adults peer challenge](#)

5. Suggested documents to read

["No Secrets: guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse":](#)

[The draft Care and Support Bill](#)

[Standards for Adult Safeguarding](#)

["Vulnerable and intimidated witnesses: a police service guide" Ministry of Justice 2011](#)

[Domestic violence, crime and victims \(amendment\) Act 2012, which now includes serious harm to a child or vulnerable adult as well as death.](#)

6. Contact

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