



Safeguarding Kent & Medway



## **Safeguarding Adults – Information about what may happen when a Safeguarding Adult Concern is reported**

If safeguarding adult concerns are raised the response to each case will be unique to the circumstances and the needs of the individual(s) involved. If following consultation the matter is considered to meet the criteria for a Section 42\*, enquiries need to be carried out.

An Enquiry will have five main strands as follows:

- a) to establish the individual(s) (or their representative's) desired outcomes
- b) to establish matters of fact about the incident(s) in which abuse or neglect is alleged
- c) to assess the support and protection needs of any individual(s) and include a risk assessment and protection plan
- d) where possible to meet the individual(s) desired outcomes, aid their recovery and reduce the risk of further abuse or neglect
- e) to review the management of any service where an increased risk is identified and any improvements required or sanctions to be recommended. If a crime is believed to have been committed the police will be informed and will take a lead in carrying out criminal investigations.

How we may proceed:

- i. It is possible that there is sufficient information already known about the circumstances of the alleged abuse/neglect and the service involved. Identified professionals will be required to carry out enquiries to clarify any specific points.
- ii. The Service concerned may be asked to complete a Service Provider Enquiry form, and return this to the Local Authority within an agreed timescale. This document has to be approved by the Local Authority Senior Officer for the case.
- iii. In some cases, a formal Planning Meeting (similar to a case conference) led by the Local Authority, may be called involving representatives of agencies/services involved. The individual(s) and/or their representative(s) may be invited to part of the Planning Meeting, which will ensure that they know what is going to happen. A Terms of Reference\* for the Enquiry will be agreed as will the level of risk and any urgent measures needed to safeguard the individual(s). If a criminal investigation is required the Police will take the lead in this process. There may however be other actions that can take place in parallel to the Police investigation e.g. review of Care Plan or a change of service.

- iv. In some cases, it may be necessary to carry out an Adult Safeguarding Review Meeting and/or establishment case conference. In points I, ii and iv above, the outcome(s) of the enquiries will be conveyed to the individual(s) and/or their representative(s) by the local authority. In complex cases, it may be necessary to carry out an Adult Safeguarding Review Meeting. When the enquiries/police investigation have concluded, a Case Conference may be held to ensure that everyone involved in the case including the individual(s) and/or their representative(s) are aware of the outcome. If necessary, post abuse care plan(s) will be agreed.
- v. If a service has been found to be responsible for the abuse/neglect, it is likely that an Establishment Case Conference will be held.

This is likely to involve representatives from the Local Authority, commissioners of the service and the Care Quality Commission (CQC).

If another individual (adult at risk) has been found to be responsible for causing abuse/crime, a separate meeting may be called to address their needs for ongoing support.

\*Section 42 definition:

- The Care Act places a requirement (**Section 42**) on a Local Authority to make or cause safeguarding enquiries, if there is concern that an adult **with care and support needs** (whether or not the authority is meeting any of those needs) is experiencing, or is at risk of abuse and/or neglect and as a result of those care and support needs is unable to protect themselves.
- Where both **care and support needs** are not present but safeguarding concerns exist non-statutory enquiries can be carried out.

## Contact us

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