

### INTER-AGENCY SAFEGUARDING ADULTS PROCEDURE

(Best printed on A3 for display purposes)

Version 11

### **Teeswide Safeguarding Adults Inter-Agency Procedure**

### **Change Record**

Revision Number	Date Approved by the Board	Change Record	Links to Other Policies	Review Date:
9.1	16.11.2018	Vision Statement updated	All other Teeswide Safeguarding Adults Policies	Nov-20
10	11.12.2019	Full Review of Procedures	All other Teeswide Safeguarding Adults Policies	Dec-22
11	23.06.2021	Full Review of Procedures	All other Teeswide Safeguarding Adults Policies	Jun-23

Stage 1 (within 1-day) - Referrer

### © 2021 Teeswide Safeguarding Adults Board Teeswide Safeguarding Adults Board (TSAB) Adult Safeguarding Procedure – **Ensure that** Raising a Safeguarding Concern Flowchart (Stage 1 – Referrer) are involved, consider the need for advocacy (MCA) and asked if their outcomes are the same or have changed. 'SEE IT' 'IS THE ADULT IN IMMEDIATE DANGER?' Recognise what you are seeing or hearing maybe Has a crime been committed? (Refer to potential abuse or neglect of an adult. Police referral criteria) \*Ensure you look at the wider context, is there anybody else that may Is a child at risk or harm? If so, phone be affected by the abuse or neglect, e.g. Children, animals etc.? Police immediately and consider referring to Children Services. "Safeguarding is everybody's business" Agencies involved in the enquiry should receive feedback at every stage. **'TALK TO THE ADULT'** Unless it is not safe, speak to the adult concerned to get their views on the Concern or Incident and what they would like to happen next. "No decision about me without me" SIGNPOST TO ALTERNATIVE PATHWAYS Assessment / Review (Care Management) 'CONSIDER IF YOU HAVE A REASONABLE Refer to TATI **CAUSE FOR CONCERN'** SAR notification Input from specialist services is required The adult has needs for care & support (whether or not the e.g. Domestic Abuse, Drug & Alcohol etc. No authority is meeting any of those needs), MAPPA / MARAC No Further Action (NFA) And is experiencing, or is at risk of, abuse or neglect. Other Support Services Complaint Initiate an 'Other Enquiry' \* Ensure you record your decision making Yes as appropriate. 'INFORMATION GATHERING' Consider the adult's Mental Capacity to consent to the Concern k (or their advocate or representative) to the person raising the concern, Seek consent to submit the Concern Have regard to adult's wishes / views including their desired outcome (considering MCA & BI decisions) and record the detail on the Concern form. (Making Safeguarding Personal (MSP)) Level of risk to self or others Gather information from other sources Who else may need to be informed? What options are open to you? Do you need to take advice? If so, contact your Local Authority for Review relevant TSAB guidance, e.g. Medication, Self-Neglect etc. \*Remember if a crime has been committed, inform Police. "No decision about me without me" at risl is giv **'CONSIDER SERVICE SPECIFIC** FEEDBACK: Ensure at every stage the adult feedback **'SHOULD A SAFEGUARDING CONCERN FORM BE** PATHWAYS, e.g. HR, COMPLAINTS ETC.' No SUBMITTED TO THE LOCAL AUTHORITY?' \*Ensure you record your decision making Yes Key: **IMCA** Independent Mental Capacity Advocate Independent Mental Health Advocate IMHA MAPPA Multi-Agency Public Protection Arrangements 'RAISE A SAFEGUARDING CONCERN' MARAC Multi-Agency Risk Assessment Conference MSP Making Safeguarding Personal Complete the TSAB Safeguarding Concern Form. No Further Action NFA (Consider any internal policy requirements) Safeguarding Adults Review SAR MCA Mental Capacity Act \*Please ensure all sections are fully completed RASC Responding to and Addressing Serious Concerns prior to submitting to your Local Authority. TATI Team Around The Individual

## **Ensure that** for advocacy (IMCA) and asked if their outcomes are the same or have changed. as appropriate. Agencies involved in the enquiry should receive feedback at every stage consider the need are involved, (or their advocate or representative) to the person raising the concern, FEEDBACK: Ensure at every stage the adult at risk feedback is give

### <u>Teeswide Safeguarding Adults Board (TSAB) Adult Safeguarding Procedure – Safeguarding Concern Received Flowchart (Stage 2 – Local Authority)</u>



### 'SAFEGUARDING CONCERN RECEIVED BY LOCAL AUTHORITY'

### 'LOCAL AUTHORITY MAKE AN INITIAL ENQUIRY'

- Assess or address any immediate safety and protection needs,
- Clarify the information provided with the person raising the concern,
- Seek or review the adults view / wishes including their desired outcome (considering MCA & Best Interests (BI) decisions) (Making Safeguarding Personal (MSP)),
- Is the alleged Person Alleged to Cause Harm (PACH) in a position of trust?
- Review if it is a complaint or a commissioning issue consider RASC (Responding to and Addressing Serious Concerns),
- Gather further information from identified sources to decide if there is reasonable cause to suspect Section 42 duty has been met.
- Decide outcome & approach,

\* Ensure feedback is given to the person raising the concern, as appropriate.

### **'SECTION 42 DUTY: REASONABLE CAUSE TO SUSPECT'**

### S42 (1) - Is there reasonable cause to suspect:

- an adult with care and support needs is,
- at risk of, or experiencing abuse or neglect and,
- cannot protect themselves as a result of their needs and to ascertain
  the views of the adult on the nature, level and type of risk and support
  they may need to mitigate risk.

"No decision about me without me'

### 'MUST MAKE (OR CAUSE TO BE MADE) WHATEVER ENQUIRIES NECESSARY'

After proportionate fact finding, is it necessary to continue to the **\$42(2)** duty to make enquiries and take action? If so, what and by whom?

# Yes

### 'COMMENCE A SECTION 42 ENQUIRY'

Log as Section 42 Enquiry on case management system.

Proceed to Stage 3 of the Adult Safeguarding Procedure

### 'SIGNPOST TO ALTERNATIVE PATHWAYS'

- Assessment / Review (Care Management)
- Refer to TATI
- SAR notification
  - Input from specialist services is required e.g. Domestic Abuse, Drug & Alcohol etc.
  - MAPPA / MARAC
- No Further Action (NFA)
- Other Support Services
- Complaint
- Initiate an 'Other Enquiry', for example when the adult has died etc.

\* Ensure you record your decision making

Key:

No

IMCA Independent Mental Capacity Advocate
IMHA Independent Mental Health Advocate
MAPPA Multi-Agency Public Protection Arrangements
MARAC Multi-Agency Risk Assessment Conference

MSP Making Safeguarding Personal NFA No Further Action SAR Safeguarding Adults Review

MCA Mental Capacity Act
RASC Responding to and Addressing Serious Concerns

TATI Team Around The Individual

that

Ensure

or have changed.

asked if their outcomes are the same

Agencies involved in the enquiry should receive feedback at every stage

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advocacy (IMCA)

need for

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involved

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risk (or D

the adult at r feedback is g adult

every stage

FEEDBACK: Ensure at

as appropriate.

ven to the person raising the concern,

Six Key Safeguarding Principles

People being supported and

The least intrusive response

appropriate to the risk presented.

Local solutions through services

Accountability and transparency in

working with their communities. Communities have a part to play in preventing, detecting and reporting

Support and representation for those in

encouraged to make their own

decisions and informed consent.

It is better to take action before harm

Empowerment

Prevention

Protection

greatest need.

Partnership

neglect and abuse.

delivering safeguarding.

Accountability

Proportionality

occurs.

### Teeswide Safeguarding Adults Board (TSAB) Adult Safeguarding Procedure -Section 42 Enquiry Flowchart (Stage 3 - Local Authority)



### SECTION 42 STATUTORY DUTY OF **ENQUIRY TO BE CONDUCTED'**

The Local Authority retains accountability and oversight of the enquiry and outcomes, ensuring the six key Safeguarding Principles are adhered to.

### 'PLANNING THE SECTION 42 ENQUIRY'

- Review the immediate safety and protection needs of the adult
- Seek or review the adult's views / wishes including their desired outcomes, considering MCA & Best Interests (BI) decisions (MSP)
- Review whether the adult requires an independent advocate
- Review what action is needed and identify who will carry out the enquiry.

### "No decision about me without me"

### 'THE SECTION 42 ENQUIRY'

- Establish facts (ensure Criminal Activity has been reported to Police and any quality of service issues are reported to Commissioners / CQC). Consider Responding to and Addressing Serious Concerns (RASC) Protocol
- Ascertain the adult's views and wishes
- Assess the needs of the adult for protection, support and redress and how they might
- Consider if the enquiry could be undertaken through a conversation with the adult faceto-face / over the telephone or whether a multi-agency perspective is needed
- Ensure information is sought from all relevant people
- Initiate an 'Other Enquiry', for example when the adult has died etc.
- Formulate and agree an Adult Safeguarding Plan

### 'ADULT SAFEGUARDING PLAN'

Adult Safeguarding plan is formulated and agreed.

### The plan should:

- Be person-centred and outcome focused
- Be proportionate and least restrictive
- Be made with full participation of the adult, or their representative or advocate as appropriate
- Wherever possible, designed to reflect and aim to achieve the adult's desired outcomes
- Not be risk averse
- Reflect a positive risk taking approach
- Be clear how the plan will promote the wellbeing of the adult
- Set time scales for the monitoring and review of the plan. These should be set individually when formulating the plan, and should reflect the circumstances and level
- Identify who the lead professional is and who will take the lead with responsibility to monitor and review the agreed plan. Ensure that all involved in delivering the plan are clear about their roles and actions.

NB. The plan could be anything from a single action to a more comprehensive plan.

Adult Safeguarding Plan is reviewed to evaluate:

- Progress and the effectiveness of the Adult Safeguarding Plan
- Whether the Adult's outcomes have been achieved
- Review the current / ongoing level of risk
- Decide if the Section 42 Enquiry can be concluded.

### 'SECTION 42 ENQUIRY DUTY - CONCLUDED'

- Consider whether a referral needs to be made to TATI
- Consider if a SAR notification is required
- Consider if the Adult requires input from specialist services, e.g. Domestic Abuse, Drug & Alcohol etc. and/or other support services
- Consider whether a referral is needed to MAPPA / MARAC
- Ensure your decision making to conclude the Section 42 Enquiry is recorded. If No Further Action (NFA) under Safeguarding, ensure the reasons are logged
- Review the risk outcomes (Risk Remained, Risk Reduced, Risk Removed).

### 'CONTINUE / REVISE PLAN'

\* Refer back to the Adult

### Key:

IMCA Independent Mental Capacity Advocate IMHA Independent Mental Health Advocate Multi-Agency Public Protection MAPPA

Arrangements

MARAC Multi-Agency Risk Assessment Conference MSP Making Safeguarding Personal

No Further Action NFA

SAR Safeguarding Adults Review MCA

Mental Capacity Act RASC Responding to and Addressing Serious

Concerns TATI Team Around The Individual

Safeguarding Plan section