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- Safeguarding Adults Level 3 -

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## Safeguarding Adults:

Safeguarding vulnerable adults is a challenging responsibility that requires cooperation between individuals and agencies. Health and social care professionals with designated responsibility for managing and investigating adult protection concerns, social workers, community psychiatric nurses, medical doctors, and general practitioners are the target audience for safeguarding adults' courses. The objectives of such courses are to understand the term 'safeguarding adults', support methods, respond to safeguarding alerts/referrals, achieve good outcomes in preventing and responding to harm, neglect, and abuse, and apply principles of the 'Mental Capacity Act 2005', among other things.

## Backing & Definition

The safeguarding of vulnerable adults is backed by various legislations and official guidance, including the 'Health and Social Care Act 2013', the 'Safeguarding Vulnerable Groups Act 2006', the 'Care Act 2014', the 'Local Authority Social Services Act 1970', the 'Human Rights Act 1998', the 'Data Protection Act 1998', the 'Public Interest Disclosure Act 1998', the 'Mental Capacity Act 2005', and the 'Equality Act 2010'. The purpose of this legislation and official guidance is to ensure that individuals are protected from abuse, exploitation, and mistreatment. The definition of safeguarding is to protect vulnerable individuals from abuse or neglect caused by the actions or inactions of others. Abuse can take different forms such as physical, financial, verbal, or psychological, and can happen when an adult at risk is unable to consent or protect themselves. Abuse can occur in any relationship and may result in significant harm or exploitation. Categories of abuse include physical, domestic, sexual, psychological, modern slavery, discriminatory, organisational, neglect, and acts of omission, and self-neglect.

## Responsibilities of an organisation

- Ensure all staff and volunteers know the policies, how to recognise and report abuse, and be able to provide appropriate training and supervision.
- Promptly report concerns or suspicions of abuse or risk of abuse.
- Prioritise actions to safeguard adults from abuse and report concerns or allegations immediately.
- Prioritise the dignity, safety, and wellbeing of adults at risk.
- Respect the rights of the person causing or alleged to be causing harm.
- Ensure appropriate protection for adults at risk under the law and adhere to the 'Public Interest Disclosure Act (PIDA) 1998'.

## Six Principles of Safeguarding Adults

- 1. Empowerment:** Adults should have control over their care, decisions, and protection plans. Justification is needed when action is taken without consent.

- 2. Protection:** Support and representation should be given to those in greatest need, especially those who may be less able to protect themselves.
- 3. Prevention:** Prevention of harm or abuse is vital, and risks of harm and abuse should be reduced for the person and within health services.
- 4. Proportionality:** Responses to harm and abuse should reflect the nature and seriousness of the concern. Responses should be least restrictive and consider the person's age, culture, wishes, and beliefs.
- 5. Partnerships:** Effective safeguarding requires collaboration between citizens, services, and communities to prevent, identify, and respond to harm and abuse.
- 6. Accountability:** Services must be transparent and accountable to the public and governing bodies, and safeguarding responsibilities must be met.

Reported abuse cases are highest among 18-64-year-olds, followed by those aged 85 or above, 75-84-year-olds, and 65-74-year-olds. Types of reported abuse include physical abuse, neglect, financial abuse, psychological abuse, and sexual, institutional, or discriminatory abuse. Areas of abuse include the victim's own home, residential care setting, and other locations. People who abuse include social care staff, family members, unknown individuals, friends/neighbours, healthcare workers, and other professionals. The 'Care Act 2014' is a statutory guidance that replaced the 'No Secrets Act' on April 15, 2015. The Act recognises the need for local authorities to work alongside other organisations, such as the 'Safeguarding Adults Board', to safeguard vulnerable adults. Care workers must contribute to protecting individuals from abuse by being knowledgeable about how society handles abuse, how to recognise it, and what to do.

### Consent in Safeguarding Adults

Consent should be prioritised and respected, but can be overridden in the public interest, with the adult-at-risk's ability to give informed consent considered. Consent given under duress should be disregarded. Seek consent for specific actions and involve the person or those who know about their abuse and its impact on the adult at risk in the safeguarding process.

### Legislation on Data Protection

Personal data must be processed fairly and lawfully in accordance with the 'Data Protection Principle' and the conditions of Schedule 2 of the 'Data Protection Act (1998)', as well as meet at least one condition in Schedule 3 and satisfy one condition in Schedule 2 for any disclosure of sensitive personal data. Personal data also must have exemptions to these rules where public interest requires disclosure, which is ultimately decided by the data controller and governed by information sharing protocols.

## The Mental Capacity Act 2005

- Protects individuals who may lack capacity to make decisions for themselves.
- Covers all types of decisions.
- Presumes adults have mental capacity to make informed choices about their safety and how they live their lives.
- Requires consideration of the ability of adults to make informed choices about their lives and the risks they want to take.
- Offers options and choices to support individuals in making informed decisions about their lives.
- Incorporates choices into practice to maximise the individual's level of participation in any given task.

## Recommendations for Exemptions and Data Sharing in Safeguarding Adults

Written records should be kept, a central register of disclosures should be maintained, and personal data items in 'Information Sharing Protocol' should be treated confidentially and securely. Data transfer within and between agencies should adhere to the 'Data Protection Act' principle 7 on security, comply with disclosing organisation's data protection policies and consider sensitivity of information and appropriate transfer methods. Email transfers should be encrypted, or password protected.

The recommended timeframes for safeguarding procedures include an immediate alert for action to safeguard anyone at risk, referral within the same day, a decision made by the end of the working day following the referral, a safeguarding assessment strategy within five days, a safeguarding assessment within four weeks, a safeguarding plan within four weeks of the assessment being completed, a review within six months, and ongoing recording and monitoring.

Adult safeguarding prioritisation levels range from critical (priority 1) to low (priority 4) levels of risk. Standard procedures for alleged abuse include contacting emergency assistance in case of abuse or neglect concerns and not contaminating forensic evidence. The alleged abuser should not be contacted until a safeguarding assessment strategy is agreed upon. Those who have raised the abuse concerns should be supported, and the adult at risk should be given confirmation that the issues raised are being considered.

## Standards and Responsibilities

Standards for the safeguarding referral and decision process include using a multi-agency format to record safeguarding information, making the referral process simple and accessible to the public and staff members, and ensuring that all adults covered by the 'Safeguarding Adults' policy receive a safeguarding assessment.

The responsibilities of safeguarding managers include ensuring adherence to timeframes for initial referrals, recording decisions to act on referrals if appropriate, agreeing on a clear framework for deciding the level of agency involvement, and implementing immediate protection for adults in need and notifying partner organisations. Standards for safeguarding assessment strategy include liaising

through telephone, virtual meetings, or encrypted emails to develop strategy and agreeing on a timeframe and holding a face-to-face Safeguarding Adults strategy meeting.

Guidelines for information sharing and safeguarding assessment/investigation include sharing information in accordance with the information-sharing framework, all organisations having a responsibility to be proactive with valuable information, minimal disruption to the service for the victim, and a coordination of action concerning perpetrators to minimise risk to victims and whistleblowers. The recommended findings are based on evidence and reflected in the resulting Safeguarding Plan.

Standards for the lead agency in abuse investigations include different agencies taking the lead in abuse investigations based on the type of abuse reported, the police notifying responsible agencies when abuse is considered a criminal case, and all agencies involved in the case sharing their investigations and supporting victims and whistleblowers. The agency with legal powers is recommended to conduct the investigation.