

**Adult Social Services Review Panel
27 April 2016 – Agenda item 7**

The Care Act- Section 42

Statutory requirements for safeguarding adults

Section 42 (1)

The Local Authority is compelled to conduct an Enquiry:

(1) This section applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there) -

- (a) has needs for care and support (whether or not the authority is meeting any of those needs),
- (b) is experiencing, or is at risk of, abuse or neglect, and
- (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Section 42 (2)

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.

Provider led Enquiry Policy to go to CSAB in April

The detailed guidance on Safeguarding Adults at Risk is contained mainly in chapter 14 of the Statutory Guidance

The guidance repeats and extends the types of abuse (New categories in bold) :

- ▶ Physical
- ▶ **Domestic abuse**
- ▶ Psychological abuse
- ▶ Financial or material abuse
- ▶ **Modern day slavery**
- ▶ Discriminatory abuse
- ▶ Organisational abuse
- ▶ Neglect and acts of omission
- ▶ **Self neglect (including hoarding)**
- ▶ Sexual abuse

Impact on Social Work

- ▶ Roughly 200 cases per month
- ▶ Estimated total of 2375 in 14/15
- ▶ This equates to a 35% increase in all safeguarding cases
- ▶ Triage system in place to try and more accurately work flow cases, provide meaningful resolution to low level safeguarding cases in an appropriately *light touch* manner

“Pan London” 2015

*Adult Safeguarding Policies and Procedures published
by ADASS*

Context

- The December 2015 publication is an update on the 2011 for post Care Act 2014 social work
- It provides both policies and procedures to enable social workers to enact the legislation.
- Pan London 2015 is a more organic and less prescriptive document allowing for earlier breaks, more person centred work and less bureaucracy in practice (suits a Triage system)
- Ends an era of procedural incongruence

Considerations for Senior Management

- CSAB and DLT have adopted Pan London 2015 and this has been disseminated to staff
- Local guidance and work flows/ pathways are developed below this guidance
- Internal policies, protocol and guidance are being written to underpin Pan London for the social workers involved in safeguarding and in preparing for the transformation agenda

Salient Features

- Includes the 11 “statutory” safeguarding categories, also lists non- statutory to be considered locally
- Focus on identifying the **risk** and **involving the adult** (MSP)
- SAR threshold is comparatively low (exploring different ways to achieve the same goals)

Procedures

- Four Stage process for each concern raised (Concern, Enquiry, Plan & Review, Closing)
- The process relies heavily on the SAM concept
- The process should be between 1-25 days (to the point of a outcome/ Case Conference)
- Outcome should be based on what the client wants and not a process/ system

Provider Concerns

- Pan London allows for a 6 step process when concerns arise regarding an organisation
- Decision to initiate, Initial meeting, Findings Meeting, Update, Quality Assurance, Closure
- This has helped us be more assertive with the market and hold providers to account
- Helps to satisfy the statutory duty to “manage the market”