7. **Introduction.**

7.1. The West Midlands adult safeguarding procedures are the result of a collaboration between the local authorities within the region.

7.2. This procedure is governed by a set of key principles and themes, so as to ensure that people who are at risk of abuse, neglect and exploitation experience the process in such a way that it is sensitive to individual circumstances, is person-centred and is outcome-focused. It is vital for successful safeguarding that the procedures in this section are understood and applied consistently by all organisations.

7.3. Although the responsibility for the coordination of adult safeguarding arrangements lies with local authorities, the implementation of these procedures is a collaborative responsibility and effective work must be based on a multi-agency approach.

7.4. The key principles which govern this procedure are set out in the **Statement of Government Policy on Adult Safeguarding** (DoH, May 2013):

- **empowerment**: presumption of person-led decisions and informed consent; consulting the person about their desired outcome throughout the safeguarding process
- **protection**: ensuring that people are safe and that they have support and representation as necessary during the process
- **prevention**: minimising the likelihood of repeated abuse and recognising the person’s contribution to this in safeguarding plans
- **proportionality**: the ways in which the safeguarding procedure is used are proportionate, as unintrusive as possible and appropriate to the risk presented
- **partnership**: people can be satisfied that agencies are working constructively to make them safe
- **accountability**: the way in which the safeguarding process is conducted should be transparent and consistent; it should always be borne in mind that safeguarding procedures may be subject to external scrutiny (e.g. the courts).

7.5. The procedures are a **framework**. Adult safeguarding is a dynamic process that must be undertaken **with** people and not **to** people. The following key themes run throughout the adult safeguarding process:

- **User outcomes**: at the beginning and at every stage of the process what the individual wants to achieve must be identified and revisited. To what extent these views and desired outcomes have been met must be reviewed at the end of the safeguarding process regardless of at what stage it is concluded.

- **Risk assessment and management**: these are central to the adult safeguarding process. Assessments of risk should be carried out with the individual at each stage of the process so that adjustments can be made in response to changes in the levels and nature of risk. Risks to others must also be considered.

- **Mental capacity**: the MCA 2005 requires an assumption that an adult (aged 16 or over) has full legal capacity to make decisions unless it can be shown that they lack capacity to make a decision for themselves at the time the decision needs to be made. Individuals must be given all appropriate help and support to enable them to make their own decisions or to maximise their participation in any decision-making process.
Unwise decisions do not necessarily indicate lack of capacity. Any decision made, or action taken, on behalf of someone who lacks the capacity to make the decision or act for themselves must be made in their best interests. It is important that an individual’s mental capacity is considered at each stage of the adult safeguarding process.

- **Safeguarding planning**: In response to identified risks, a safeguarding plan can be developed and implemented at any time in the adult safeguarding process. The multi-agency plan aims to:
  - prevent further abuse or neglect;
  - keep the risk of abuse or neglect at a level that is acceptable to the person being abused or neglected and the agencies supporting them;
  - support the individual to continue in the risky situation if that is their choice and they have the capacity to make that decision.

Safeguarding planning also involves promoting wellbeing and supporting anyone who has been abused or neglected to recover from that experience.

- **Information sharing**: This is key to delivering better and more efficient services that are coordinated around the needs of the individual. It is essential to enable early intervention and preventative work, for safeguarding, for promoting welfare and for wider public protection. Information sharing is a vital element in improving outcomes for all. Nevertheless, it is important to understand that most people want to be confident that their personal information is kept safe and secure and that practitioners maintain their privacy, while sharing appropriate information to deliver better services.

- **Recording**: Good record-keeping is an essential part of the accountability of organisations to those who use their services. Maintaining proper records is vital to individuals’ care and safety. If records are inaccurate, future decisions may be wrong and harm may be caused to the individual. Where an allegation of abuse is made, all agencies have a responsibility to keep clear and accurate records. It is fundamental to ensure that evidence is protected and to show what action has been taken and what decisions have been made and why.

- **Feedback**: At each stage of the adult safeguarding process, it is important to ensure feedback is given to the adult, people raising the concern, and partners. People who raise adult safeguarding concerns are entitled to be given appropriate information regarding the status of the referral they have made. The extent of this feedback will depend on various things (e.g., the relationship they have with the victim, confidentiality issues, and the risk of compromising an enquiry). At the very least, it should be possible to advise people raising the concern that their information has been acted upon and taken seriously. Partners in provider organisations require feedback to allow them to continue to provide appropriate support, fulfil employment law obligations, and make staffing decisions.

7.6. Finally, it is equally important that these procedures are managed and administered in such a way as to comply with all the articles of the Human Rights Act (HRA) 1998 (in particular Articles 5 and 8). What this means is that both the process and the outcome must be the least restrictive, proportionate, and enable risk where appropriate. In addition, any actions falling under these procedures should be consistent with current legislation as it relates to social care, health, housing and education.
Fig 7a - Adult Safeguarding procedure- Overview flowchart.

WEST MIDLANDS ADULT SAFEGUARDING PROCEDURES – OVERVIEW

<table>
<thead>
<tr>
<th>SAFEGUARDING CONCERN</th>
<th>SAFEGUARDING ENQUIRY</th>
<th>SAFEGUARDING PLAN</th>
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<tbody>
<tr>
<td><strong>Safeguarding Concern</strong></td>
<td><strong>Safeguarding Enquiry</strong></td>
<td><strong>Safeguarding Plan</strong></td>
</tr>
<tr>
<td>- Identification of abuse or neglect.</td>
<td>- Gain views, consent &amp; desired outcomes of adult.</td>
<td>- Plan is person-centred &amp; outcome-focussed.</td>
</tr>
<tr>
<td>- Immediate safety needs are met.</td>
<td>- Duty to refer to advocate if required (Care Act s68)</td>
<td>- Plan is proportionate &amp; least restrictive.</td>
</tr>
<tr>
<td>- Concern is referred into the local Adult Safeguarding process.</td>
<td>- Gather &amp; share information.</td>
<td>- Timescales for review &amp; monitoring of plan are agreed.</td>
</tr>
<tr>
<td></td>
<td>- Agree what enquiries are needed &amp; who will do this.</td>
<td>- All involved are clear about their roles &amp; responsibilities.</td>
</tr>
<tr>
<td></td>
<td>- Risk assess &amp; plan interim safeguarding plan.</td>
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</tbody>
</table>
Fig 7b- Adult Safeguarding procedure- Detailed flowchart.

WEST MIDLANDS ADULT SAFEGUARDING PROCEDURES – DETAILED FLOWCHART

SAFEGUARDING ENQUIRY

CONCERN:
- Abusive act is witnessed
- Active disclosure made by adult or third party
- Suspicion or concern that something is not right
- Evidence of possible abuse or neglect.

URGENT ACTIONS TAKEN TO SAFEGUARD ANYONE AT IMMEDIATE RISK OF HARM

The person alerted to the concern takes any immediate actions required (e.g. arranging medical attention, early referral to Police as appropriate)

REPORTING OF CONCERN:
Concerns reported into the local Adult Safeguarding process (See Local Guidance for referral pathways and how to make a referral)

INFORMATION GATHERING / LATERAL CHECKS:
- Check actions have been taken to address immediate safety needs - e.g. medical attention, Police.
- Checks made with referrer, internal information sources and partner agencies to provide additional background information.
- Contact made with person/s referred (unless doing so would place the person/s referred or others at further risk of harm, or contaminate evidence).

CONCERN DECISION-MAKING:

Concern is screened to establish if the adult-
(a) has needs for care & support
(b) is experiencing, or is at risk of, abuse or neglect,
(c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Yes

No

Consider what other advice / action or information is still needed.

PLANNING-
- Gain views, consent & desired outcomes of adult.
- Duty to refer to advocate if required (CA2014 s68).
- Gather and share information (report criminal activity to Police, service quality issues to CQC and Commissioners as appropriate).
- Agree what enquiries needed and who will do this.
- Risk assess & plan interim safeguarding plan / safety measures while enquiries are undertaken.

ENQUIRIES-
- Make enquiries or cause them to be made - e.g. Focussed assmt of vulnerability & risk, Care Act s9 Needs assessment, mental capacity assessments, criminal investigation, complaints investigation, internal Provider investigation.
- Enquiry could range from a conversation with the individual to a much more formal multi-agency arrangement.

EVALUATE & PROTECT-
- Evaluate outcomes of enquiries with the adult, and involved others.
- Review desired outcomes and what action the adult wishes to be taken.
- Identify ongoing risks, specifically risk of harm through abuse/neglect.
- Evaluate if Local Authority must undertake needs assessment despite refusal (CA2014 s11(2)(b)).
- Feedback to relevant people.
- Identify what actions should be taken in an adults case.

Conclusion of Safeguarding Adults Enquiry

Safeguarding Plan required

Safeguarding Plan not required

Consider what other advice / action or information is still needed.

SAFEGUARDING PLAN

Monitor & Review Plan (Timescales as per individual plan)

Review identifies issues that require further enquiry

Continue / revise Plan

Safeguarding Plan
- Plan is person-centred & outcome focussed.
- Plan is proportionate & least restrictive.
- Timescales for review & monitoring of plan are agreed.
- Lead professional responsible for monitor & review of plan agreed.
- All involved are clear about their roles and actions.

Review of Safeguarding Plan

Evaluate effectiveness of the Safeguarding Plan, of outcomes achieved, and levels of current/ongoing risk.

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