

Safeguarding vs. safeguarding

1. Introduction

- 1.1 The word 'safeguarding' can be interpreted in different ways and this can create some confusion for professionals, when deciding what course of action to take when they have encountered a person who needs support. 'Safeguarding' can mean two things; a formal safeguarding response under s42 of the Care Act, or a general response to keep someone safe and to ensure their needs are met.
- 1.2 These two types of safeguarding are sometimes referred to as Safeguarding with a capital 'S' to identify the formal safeguarding response and safeguarding with a small 's' to identify the more general response to keep someone safe.

2. What is 'Safeguarding with a capital S'?

- 2.1 A safeguarding enquiry under s42 of the Care Act would be triggered if the Local Authority is made aware that someone with care and support needs has experienced or is at risk of abuse or neglect, and as a result of their care and support needs, they are unable to protect themselves. In the past, this has been described as 'adult protection' and may be referred to as 'formal safeguarding'. If these criteria are met, the Local Authority will involve partners from other agencies and make (or cause to be made) whatever enquires are necessary, deciding whether action is necessary and if so what and by whom.

3. What should I do if I think a formal safeguarding response is needed?

- 3.1 You should gain the person's consent, if possible, make a referral to the relevant Local Authority Adult Safeguarding Team.

Reading	01189 376 550	safeguarding.adults@reading.gov.uk
West Berkshire	01635 519056	safeguardingadults@westberks.gov.uk
Wokingham	0118 974 6371	adultsafeguardinghub@wokingham.gov.uk

- 3.2 If you cannot gain the person's permission, the local authority may still be able to act if the person is at risk of abuse or neglect.

You may want to consult with the Safeguarding teams using the contact details above for further advice.

4. What is 'safeguarding with a small s'?

- 4.1 Many people with physical or mental health problems who have care and support needs live in complex circumstances and can be very vulnerable. These people may need support to keep safe, to manage the risks of day-to-day life and may need coordinated responses from a variety of health, social care, housing, or other professionals. However, they are not necessarily experiencing abuse or neglect so will need a coordinated response to keep them safe, but not a by way of an s42 enquiry.

5. Finding support for someone not experiencing abuse or neglect?

- 5.1 If the person needs a social care assessment, seek their permission to request support and then you can make a referral for a Care Act assessment or find out if they already have an allocated social worker.

Reading 0118 937 3747

West Berkshire 01635 503050 adultcare@westberks.gov.uk

Wokingham 0300 365 1234

- 5.2 If the person has a health or mental health need, seek their permission to contact their doctor in the first instance (or ring 999 if they have an urgent health care need).

If you have not sought their permission, you may be asked to go back and speak to them for consent to make a referral. If you already know the professionals who are involved with the person, you could contact them to ask for a meeting to discuss the person's need for a risk assessment or a coordinated response.

6. Requesting the local authority to review a small 's' safeguarding decision?

- 6.1 If you have contacted the local authority with an adult safeguarding concern, but after consideration they have said they are not triggering a formal section 42 enquiry, first ask them for a clear explanation of why this is so that you can understand the reasoning. They will often also offer advice and support with the issue regardless of the safeguarding decision.

- 6.2 If you still have concerns about abuse and harm, you can ask for the decision to be reviewed. Consider what new or more detailed information you can give the local authority to help consider the risks to the person.

Tip: you are helping the local authority in the process of gathering information to establish that they (the local authority) have 'reasonable cause to suspect' that abuse is present.

Examples

- ❖ Someone with dementia keeps letting themselves out of their home and wandering in the street putting themselves at risk.

This is an example of 'safeguarding with a small s' and the necessary response will involve a risk assessment, consultation with their GP and possibly a meeting of multiagency professionals

- ❖ Someone with dementia living in a secure care home managed to leave the building because a carer didn't close the door behind him. They became lost and were found by the police, suffering from hypothermia.

This is an example of a situation where 'Safeguarding with a capital S' is required, as the person has suffered abuse by neglect as the door was left open and they were able to get out of an environment where they should have been kept safe, and as a result, they have come to harm (hypothermia).

- ❖ Mrs Thomas is being cared for at home by her husband. She uses a hoist for transfers and has four double-up home care visits a day, and her skin is very fragile. Her husband is struggling to manage the complexities of her care and is worried he will get something wrong and cause her some harm.

This is an example of 'safeguarding with a small s' and the necessary response will involve a carers assessment for Mr Thomas, a risk assessment, a review of the health provision Mrs Thomas is receiving, consultation with her GP and possibly a meeting of multiagency professionals.

- ❖ Mr Thomas tried to move his wife using the hoist before the carers arrived to provide double-up support, and she fell from the hoist, sustaining a fractured neck of femur.

Mr Thomas had been clearly told not to use the hoist on his own due to the risk of harm:

This is an example of a situation where 'safeguarding with a capital S' is required, as Mrs. Thomas has suffered harm because of neglect by her husband and a formal Safeguarding process needs to be followed using s42 of the Care Act.

- ❖ Mr Patel has lost capacity and is not coping at home. His daughter is keen not to move him to residential care as she says she promised him that she would always care for him. Professionals have a suspicion that the motive for keeping Mr Patel at home could be to preserve his funds so his family can inherit.

This is an example of 'safeguarding with a small s'. There is no indication that

Mr Patel's family have abused him, but if there is a difference of opinion about where his health or care needs should best be met, and he lacks capacity, a best interests meeting will need to be held with family and professionals, to decide on his behalf and in line with the requirements of Deprivation of Liberty Safeguards.

- ❖ Following a best interests meeting, a best interests decision is made that Mr Patel's care needs will be best met in a care home. His family have locked him in the house and are refusing access to the GP and district nurse as they do not want him to move to a care home. He requires regular treatment for leg ulcers and diabetes which are not being carried out as health professionals cannot gain access to the property.

This is an example of 'Safeguarding with a capital S' because Mr Patel is suffering from neglect because of his family's actions, and this could be leading to harm from infection and diabetes symptoms.

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