

Warrington Safeguarding Adults Procedures – Section 7: Safeguarding plans and conclusions

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7 Safeguarding Plans and Conclusions

7.1 Definition and purpose of safeguarding plans

The adult safeguarding Enquiry will conclude when the local Lead Agency has made a decision about:

- Whether any action is required in the adult's case, and if so
- What action and by whom.

As part of the decision making process to conclude the adult safeguarding Enquiry, the Lead Agency will also make a decision about whether a safeguarding plan is required, or not.

A safeguarding plan may not always be required, for example, the outcome of the Enquiry may be that no action is required in the adult's case, or that ongoing risks can be managed or monitored through single agency processes, e.g. assessment and support planning processes, community policing responses, health service monitoring.

Where no safeguarding plan is required in order to manage ongoing risk of abuse or neglect to the adult, this procedure will end.

However, provision of information & advice and/or other actions may need to continue under other processes, for example, addressing potential risks from people who are employed in Positions of Trust, referrals to the DBS, ongoing contract compliance or regulatory inspection/action.

A safeguarding plan will usually be required where the risk of abuse or neglect is, for example:

- Ongoing
- Complex
- Unstable
- Risk of harm to the adult or others is significant
- Other factors such as coercion, undue influence, or duress add to the complexity and uncertainty of the risk and that the risk cannot be managed appropriately or adequately by other processes.

These types of situations will require a greater level of scrutiny and review, usually within a multi-agency context.

Decisions about actions required should always be made with the full participation of the adult, or their representative or advocate if the adult has substantial difficulty or lacks mental capacity to participate in the decision making process.

Safeguarding Concern

- **Abuse or Neglect are identified**
- **Immediate needs for safety and protection are met**
- **Safeguarding Concern is referred to the Local Authority**



Safeguarding Assessment

- Check immediate needs for safety and protection
- Gather additional information
- Provide information and Advice
- Decision made as to whether s42 duty to make an Enquiry is met



Safeguarding Enquiry

- Obtain Views, Consent and Desired Outcomes from the adult
- Consider Representation or Advocacy
- Agree what enquiries are needed and who will do them
- Complete Enquiries
- Decide what action is to be taken



Safeguarding Plan

- Person-centred and Outcome focussed
- Proportionate and Least Restrictive
- Timescales for actions are agreed
- Lead Professional role agreed
- Evaluate and Review actions
- Once actions are completed end the Safeguarding Plan

An adult safeguarding plan is the agreed set of actions and strategies that are designed to support and manage ongoing risk of abuse or neglect for an adult with care and support needs.

The purpose of an adult safeguarding plan is to formalise and coordinate the range of actions to protect the adult, and to support the adult to recover from the experience of abuse or neglect. Adult safeguarding plans should be individual, person-centred and outcome-focused.

REMEMBER: The adult's desired outcomes should directly inform the decision making process, and wherever possible, decisions about actions should be led by and be designed to achieve these outcomes. Sometimes adults can express unrealistic outcomes, and there should be negotiation with the adult throughout the Enquiry process to support the adult to understand what outcomes are achievable, and fit with their views and wishes.

The Care Act Statutory Guidance does not specify who or which agency should be responsible for monitoring and reviewing adult safeguarding plans. However, for all adult safeguarding plans, a lead professional should be identified who will monitor and review the plan.

The adult safeguarding plan should identify who is involved in the plan, and outline individual roles and responsibilities in relation to the plan. Following an adult safeguarding Enquiry, where the Local Authority has decided that it should itself take further action, then it will be under a duty to do so.

The adult safeguarding plan should link closely to the outcome of the Safeguarding Enquiry and there should be no delay between concluding the Enquiry and formulating the plan.

This procedure does not specify specific timescales for monitor and review of the plan. Timescales for monitoring and review of the plan should be set individually when formulating the plan, and should reflect the circumstances and level of risk involved.

In most cases there will be a natural transition between deciding what actions are needed in the adult's case at the end of the Enquiry episode, into formalising what these actions are and who needs to be responsible for each action- this is the adult safeguarding plan.

The plan should outline the roles and responsibilities of all individuals and agencies involved, and should identify the lead professional who will monitor and review the plan, and when this will happen.

Adult safeguarding plans should be person-centred and outcome-focused. Adult safeguarding plans should be made with the full participation of the adult, or their representative or advocate as appropriate.

Wherever possible, adult safeguarding plans should be designed to reflect and aim to achieve the desired outcomes of the adult.

REMEMBER: Adult safeguarding plans should not be risk averse. Plans should reflect a positive risk taking approach and be clear how the plan will promote the wellbeing of the adult.

In many cases the provision of care and support may be important in addressing the risk of abuse or neglect, but where this is the intention the adult safeguarding plan must be specific as to how this intervention will achieve this outcome.

Where the adult requires assessment and provision of care and support services by the local authority, they must also have a care and support plan in line with the requirements of the Care Act.

7.2 Actions which should be included in Safeguarding Plans

Adult safeguarding plans can cover a wide range of interventions and should be as innovative as is helpful for the adult. Care Act statutory guidance states that in relation to the adult, safeguarding plans should set out:

- Steps to be taken to assure their safety in future
- Provision of any support, treatment or therapy including on-going advocacy
- Modifications needed in the way services are provided
- How best to support the adult through any action they take to seek justice or redress
- Any on-going risk management strategy as appropriate
- Any action to be taken in relation to the person or organisation that has caused the concern

Outcomes for adult safeguarding plans can be as high level or detailed as the circumstances require, and as the law allows.

Decisions about concluding the safeguarding plan should be made by, or in agreement with, the lead agency, and should be clearly recorded with the rationale for the decision.

When the adult safeguarding procedure is concluded, feedback on the outcomes should be shared with the adult, their representative and other agencies as appropriate. The consent of the adult to share information should be gained, and usual information sharing rules apply.

Generally speaking, the safeguarding plan can be ended when the adult is longer at risk, or that those risks have reduced to a level where they can be monitored via a single agency process.

7.3 Progress meetings

A progress meeting or meetings may be required subsequent to a safeguarding meeting or discussion. These meetings are organised in order to provide an update to all involved on the progress of the enquiry or other agencies investigations and to confirm that actions or recommendations from the safeguarding meeting or discussion have been completed.

This meeting also considers whether other actions and recommendations are necessary, dependant on the adult's views and whether any new evidence or information has come to light. The meeting can also conclude of the case and confirm the outcomes.

The meeting should also confirm that the adult at risk's input is current and that the meeting remains sighted on the adult at risks desired outcomes. In less complex situations a progress meeting may not be required.

Previously 'case conferences' were used in order to facilitate the adult or representatives involvement in safeguarding situations.

However, given that the adult's views and wishes are central to any enquiry taking place, agencies involved in the enquiry should ensure that the adult or their representative can participate directly. If the adult feels unable to participate in a particular safeguarding meeting, then additional arrangements should be put in place to communicate and feedback to the adult.

The meeting chair should be present to feedback to the adult as should any other person who can provide information, aid communication and provide advice and support.

It is vital that as far as possible the adult does not feel overwhelmed, feels comfortable, and receives information in the most appropriate manner and it is explained to them why certain actions or decisions have been made.

7.4 Outcomes and Learning

Documenting the conclusion or outcomes of a safeguarding incident is an important part of the safeguarding process. Warrington Borough Council completes a statistical return for the Department of Health regarding outcomes.

In cases where there has been learning it is important to share this with colleagues, providers and partners, and it may be important to share this with bodies such as Warrington Safeguarding Adults Board. The methods for doing this should be discussed and agreed at the conclusive stage of the enquiry.

7.5 Confidentiality, Recording and Disclosure

It is important in terms of the principles of the Care Act and providing personalised approaches to safeguarding to keep the adult involved throughout the enquiry.

In certain circumstances, it will be necessary to exchange or disclose personal information which will need to be in accordance with relevant law and guidance.

REMEMBER: Wherever possible information should be shared with the adult and relevant others as appropriate. However, it may not be appropriate, or in the public interest, to share all information with the adult or their representative due to legislation and guidance regarding confidentiality.

Each request for information should be considered individually, and legal advice sought as appropriate, however as a general principle confirming the outcome of the enquiry should be provided and includes how the safeguarding concern was assessed and how the risk is being managed.

The local authority should also provide the basis for why certain information cannot be disclosed.

Where information is disclosed to individuals not bound by contractual, professional or legal duties in respect of confidentiality and disclosure, there has to be very careful consideration of the public interest.

For example, the public interest in some safeguarding situations is met by the disclosure of information so that individuals (and the public) can have confidence that statutory agencies are responding to situations of abuse and neglect properly.

However, sometimes the public interest can be met by information being kept confidential so that individuals, agencies or member of the public who reported or witnessed the incident can feel confident to make statements, or give evidence in court, or make future safeguarding referrals without fear of retribution.

Good record keeping is a vital component of professional practice. Whenever a complaint or allegation of abuse is made, all agencies should keep clear and accurate records and each agency should identify procedures for incorporating, on receipt of a complaint or allegation, all relevant records into a file to record all action taken.

Poor quality recording in safeguarding situations can never be helpful to the adult, and can make it more difficult to establish whether abuse or neglect has taken place.

For example, the resident of a care home is admitted to hospital with dehydration. Dehydration can result from a number of causes - one of which is that the care provider has failed to supply the resident with sufficient fluid intake.

However, as there has been inadequate recording of the residents fluid intake, it is difficult to establish whether there has been neglect, or whether the home have only failed to record important information and the resident has been supplied with enough fluids throughout.

Local authorities and all agencies should have guidance available to staff in respect of the Data Protection Act and associated legislation and guidance.

REMEMBER: When abuse or neglect is raised managers need to look for past incidents, concerns, risks and patterns. We know that in many situations, abuse and neglect arise from a range of incidents over a period of time.

In the case of providers registered with CQC, records of these should be available to service commissioners and the CQC so they can take the necessary action. Records should also be kept in such a way that the information can easily be collated for local use and national data collections.

In the past, there have been instances where the withholding of information has prevented organisations being fully able to understand what “went wrong” and so has hindered them identifying, to the best of their ability, the lessons to be applied to prevent or reduce the risks of such cases reoccurring.

When access to the information is requested, then the individual who the subject of the information (the data subject) should have the opportunity of having the information disclosed to them, subject to:

- Non-disclosure of third party information (information concerning another person who is not the data subject) and
- Whether the disclosure of the information on the file would result in significant harm to either the data subject or other person or worker involved.

A Safeguarding Adults Board may request a person to supply information to it or to another person. The person who receives the request must provide the information provided to the SAB if:

- The request is made in order to enable or assist the SAB to do its job
- The request is made of a person who is likely to have relevant information and then either (i) the information requested relates to the person to whom the request is made and their functions or activities or (ii) the information requested has already been supplied to another person subject to an SAB request for information

Where an adult has refused to consent to information being disclosed for these purposes, it should be considered whether there is an overriding public interest that would justify information sharing.

Decisions about who needs to know and what needs to be known should be taken on a case by case basis, within agency policies and the constraints of the legal framework.

7.6 Feedback

It is important for the safeguarding chair to summarise any actions or recommendations at the end of the meeting or safeguarding enquiry and clarify who has been given responsibility to address them.

In most cases where actions are required a progress meeting will be needed to confirm actions have been completed and to conclude enquiries.

There should be active consideration of whether the adult's desired outcomes have been met, partially met or not met.

The outcomes will be discussed with the adult and if there is a significant difference between the outcomes and those the adult wanted, this should form part of a dialogue with them, including, as appropriate whether there are any measures or routes available for the adult to take advice or obtain support if they remain unhappy with the outcome.