

# Bournemouth and Poole Safeguarding Adults Board

## Fact Sheet 1 - Information for a person reported to have caused abuse or neglect



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## **Who is this Fact Sheet for?**

This fact sheet is provided for the benefit of those individuals who have been named within an allegation as potentially causing abuse to an adult at risk.

When a concern is made, a “Safeguarding Adults” enquiry may be required in order to find out what has actually happened.

If a concern has been made about your actions this can be a difficult and stressful time. You may have questions about how the enquiry is being undertaken and progresses and how decisions will be reached. This fact sheet is intended to answer frequently asked questions. It explains what a Safeguarding Adult enquiry involves and how you can expect to be treated within these procedures.

## **What is Safeguarding Adults?**

‘Safeguarding Adults’ is the name given to the Bournemouth, Dorset and Poole Multi-Agency Policy & Procedures used to protect adults at risk from abuse or neglect.

## **What is a Safeguarding Enquiry?**

This is called a Section 42 Enquiry, it refers to the local authority being in receipt of information about an individual aged 18 or over. The Care Act 2014 requires each local authority to make enquiries where abuse or neglect is suspected and that adult meets the criteria.

## **Key Roles**

The Enquiry Manager is a senior person from Adult Social Care who has been appointed to oversee all the safeguarding arrangements.

The enquiry will be undertaken by a trained professional - Safeguarding Adult Practitioner or nominated enquirer. If a crime is suspected, the police may also be involved.

## **What does a Safeguarding Enquiry involve?**

The purpose of a safeguarding enquiry is to protect the adult at risk.

Its aims are to:

- establish the facts about an incident or allegation
- understand the risk of abuse or neglect to the person
- determine how the person can be kept safe in the future

The enquiry may involve a wide range of activities depending on the circumstances. It will include talking to people who have seen or been involved in the incident. It includes reading records or policies and procedures.

Sometimes other enquiries will also be needed under other procedures. For example, if a criminal offence is suspected the police may undertake an enquiry, and if so, this will take priority. If the person being investigated is an employee, then a Human Resources process may be required. There may also be a need for an internal incident investigation within the place where the abuse or neglect has happened.

## **Fairness**

Care will be taken to make sure the safeguarding enquiry is conducted in a way that is fair to all concerned.

The following principles apply:

- an enquiry will be carried out impartially and without bias or self interest
- an enquiry will be undertaken with an open mind as to what has or has not happened
- an enquiry will base its findings on the established facts
- if concerns have been raised about your actions then you will have a chance to respond to these allegations and give your views about what happened
- you will have an opportunity to respond to the findings of the enquiry

If you are being interviewed you can have someone sit in with you for support if you find that helpful. If you have particular communication needs, you will be given help and support.

If you feel that the enquiry is not being undertaken fairly you can raise your concerns with the Safeguarding Adult Practitioner or Enquiry Manager.

## **Reviewing the findings of the enquiry**

The findings of the enquiry will be considered and a decision made as to whether it is more likely than not that abuse or neglect has occurred.

Your views on the allegation and the enquiry's findings will be included in this decision. You will be informed of decisions made unless to do so would put others at risk.

Throughout the safeguarding enquiry, decisions will be made about whether any actions are needed to keep the adult at risk or other people safe. These decisions will need to be reviewed once the enquiry is completed.

Depending on the nature and seriousness of the allegations, these decisions may be made by the Enquiry Manager at a Review Meeting, taking your views into account.

An Enquiry Review Meeting is held where it is helpful for all concerned to meet and discuss the findings of the enquiry. The meeting will include those people involved in undertaking the enquiry or taking actions to keep people safe. It will usually also include the adult at risk. If an allegation has been made about your actions or practice, you may be invited for part of the meeting unless to do so would put anyone

at risk. The decision to invite you to the enquiry review meeting will need to take into account the wishes of the adult at risk.

## **What can I do if I disagree that my actions amount to abuse or neglect?**

If, following the enquiry, you feel the decision about whether your actions amount to abuse or neglect has been reached unfairly, talk to the Enquiry Review Manager or Chair or raise a complaint by contacting the Complaints Officer of the Local Authority where the investigation took place.

## **Additional Information**

### **Issues for employees and volunteers**

If an allegation has been made about you in the course of your work then your organisation will need to provide you with support.

As well as support from your manager, you may also choose to seek support from family and friends or depending on your circumstances, a union representative, professional body/support network. The safeguarding adults procedures are based on Government legislation which local authorities are required to act under, they are not a legal process. Therefore, some people may choose to seek advice from their solicitor.

If you are a volunteer, you may wish to contact organisations such as Dorset or Bournemouth & Poole Volunteer Centre or a national voluntary organisation for advice or information. Similarly if you want to seek advice on your employment rights, you may wish to contact organisations such as the Citizens Advice Bureau (CAB).

If there is a need to make changes to your working arrangements whilst an allegation is investigated or subsequently, your manager will speak to you about this.

If your organisation is not aware of a safeguarding adults enquiry concerning your actions at work or in your private life and you work with adults at risk, you must inform them immediately.

### **Information for relatives/informal carers reported to have caused abuse or neglect**

Where an incident has occurred unintentionally, for example, due to the extent of care demands on you, or your own needs as a carer, or your lack of understanding of the person's care needs, it may be necessary to review the care and support needs of the adult at risk and your needs as a carer.

Decisions about who the adult at risk has contact with or receives support from, should be made by the adult at risk. If the person lacks the ability or mental capacity

to make these particular decisions, then a decision will be required in their 'best interests' in line with the Mental Capacity Act.

## **Information for other 'adults at risk' reported to have caused abuse or neglect**

The purpose of the safeguarding adult policy and procedures is to keep people safe.

If your actions have caused someone else to be abused or neglected, then it will be necessary to find ways to keep them safe in the future.

There may need to be a decision about whether you have contact with them in the future, and if so, how often or how this is managed.

If the incident has occurred because you need more support or a different kind of support, then your needs and services will also be reviewed. This will be discussed with you. If you lack the ability or mental capacity to make these decisions yourself, then a decision about your support needs will be made in your 'best interests' in line with the Mental Capacity Act 2005, taking your views and wishes into account.

## **Further Information**

The Safeguarding Adult Multi-Agency Policy and Procedures can be downloaded from: [www.bpsafeguardingadultsboard.com](http://www.bpsafeguardingadultsboard.com)