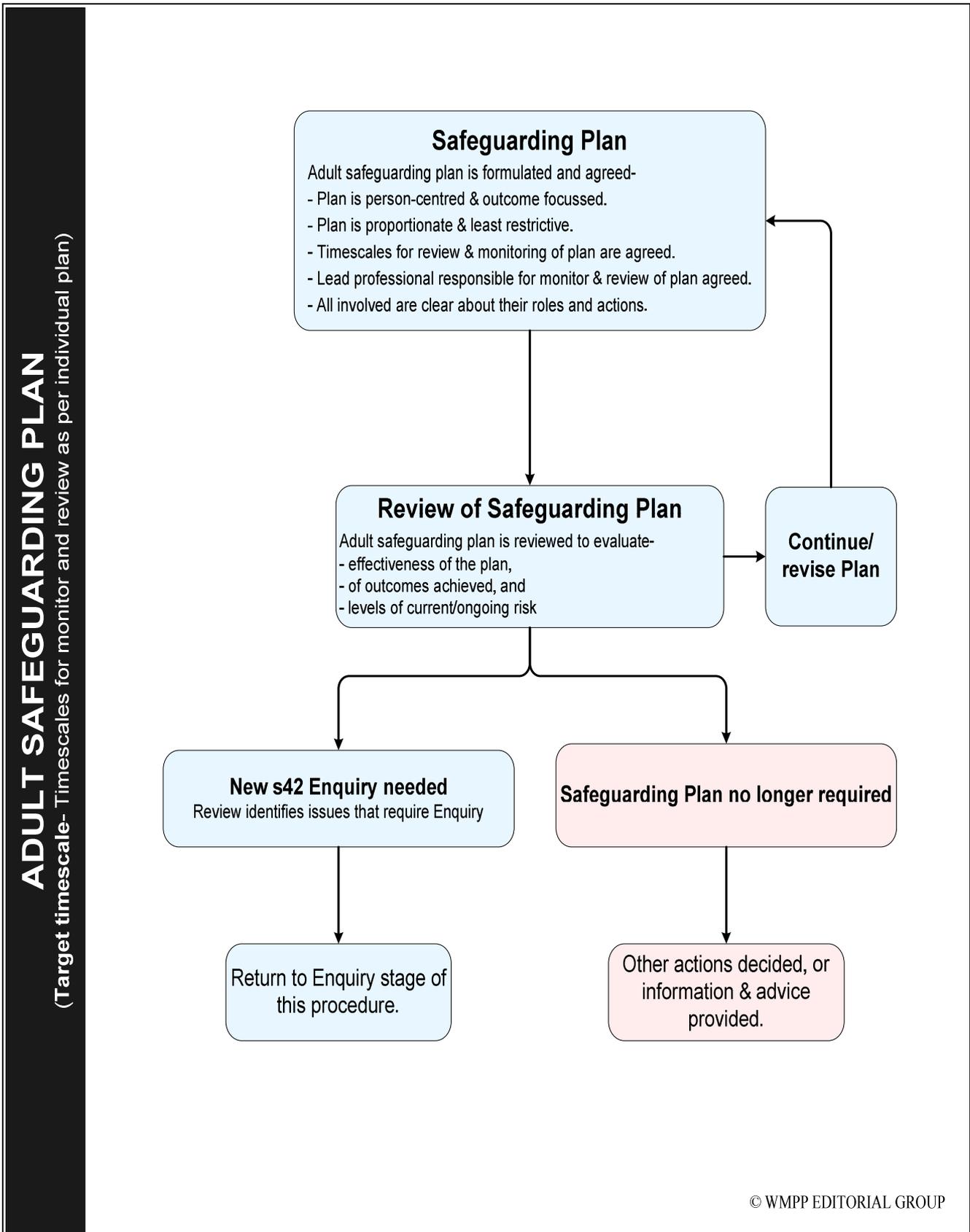


Section 5: Safeguarding Plans



Section 5: Safeguarding Plans

Overview

This section provides guidance on developing, implementing and reviewing Safeguarding Plans when the Section 42 Enquiry has shown that an adult is experiencing or is at risk of abuse or neglect.

- 5.1 Once the facts of a safeguarding episode have been established the Managing Officer will consider whether any further or continuing action or intervention is required to protect the adult. A Safeguarding Plan is the document that clarifies all the protective or supportive systems that are in place, irrespective of who provides these and sets them out as steps towards a defined outcome.
- 5.2 A Safeguarding Plan is not a Care Plan and it will focus on care provision only in relation to the aspects that provide protection against abuse or which offer a therapeutic or recovery based resolution. In many cases the provision of care and support may be important in addressing the risk of abuse but where this is the intention the Safeguarding Plan must be specific as to how this intervention will achieve this outcome.
- 5.3 In line with *Making Safeguarding Personal* and the requirements of the Statutory Guidance it is essential that the focus on outcomes is based on a clear understanding of what an outcome is as opposed to a process output – see Short Practice guide 8.
- 5.4 For the purposes of these procedures *Outcomes* will be defined as the results, impacts and benefits of an intervention rather than the nature or process of the intervention itself, which are considered *Outputs*.
- 5.5 Where the adult has mental capacity to understand and consent to the protective measures this is decisive in determining the content and scope of the Safeguarding Plan. If the adult has mental capacity but does not consent to the Safeguarding Plan then all efforts should be taken to identify steps that would be acceptable. The agreement or acceptance of the adult will be recorded if they have the mental capacity to make that decision. Any offers of support that have been rejected should be clearly recorded as well as the details of alternatives offered or other mitigating action that has been considered.
- 5.6 In a very small number of cases of very high risk where it is believed that the adult is acting under undue influence or is otherwise prevented from protecting

themselves there may be a need for consideration of an application to the High Court to use its inherent jurisdiction to determine or enforce necessary protective measures.

- 5.7 Where the adult lacks mental capacity to understand and consent to the protective measures then these can only be put in place in accordance with the principles of the Mental Capacity Act 2005 and if they can be shown to be in the adult’s best interests.
- 5.8 Where the adult lacks mental capacity and where they or others dispute that an intervention is in their best interests this should be discussed and considered carefully. If the disagreements cannot be resolved then consideration must be given to referring the matter to the Court of Protection (CoP).
- 5.9 Safeguarding Plans can cover a wide range of interventions and should be as innovative as is helpful for the adult. Depending on the circumstances examples of interventions could include:

Restorative justice	Personal alarms
Mediation	Assistive technology
Appointeeship	Befriending
Deputyship; Mental Capacity Act 2005	Blocking nuisance calls
Guardianship; Section 7 Mental Health Act	Trading Standards advice
Counselling	Injunctions
Circles of support	Flags on agency systems
	Neighbourhood Watch

- 5.10 The Safeguarding Plan will clearly identify what the objectives and safety goals are, who will be responsible for each aspect, who will co-ordinate the plan, communication arrangements and when it will be reviewed.
- 5.11 The Safeguarding Plan will identify any contingency measures that are in place and how they will be triggered. The plan should consider likely future events as far as these can be reasonably anticipated. In each case it should be considered whether there will be a benefit in sharing the Safeguarding Plan with a GP or with the Police even where they are not directly involved in the plan. This decision must be made on a case by case basis and must take into account the issues proportionality and consent.

- 5.12 Each Safeguarding Plan will have an identified person whose role is to co-ordinate the plan and ensure that there is good communication and effective co-operation. If the plan is not effective the co-ordinating worker will convene a Safeguarding Plan Review to address this.
- 5.13 Workers who have defined responsibilities for any actions outlined in the Safeguarding Plan must ensure that these are documented in their own records. They must make the person who is co-ordinating it aware of any decision to withdraw from the case and this should instigate a review of the plan to ensure that it does not have an adverse effect on the risk of harm.
- 5.14 The Safeguarding Plan must be regularly reviewed and this should include performance against the desired outcomes. A review must take place if any part of the Safeguarding Plan is discontinued or where the adult rejects any planned intervention or support that had previously been agreed.
- 5.15 A Safeguarding Plan should be as innovative and imaginative as is necessary and proportionate to be effective. There is no single model, as each case will be specific to the adult concerned.
- 5.16 Wherever possible the issues of resolution and recovery should be considered and objectives that have the outcome of increasing resilience and self-esteem are likely to be those that achieve the best long term safety outcomes. A Safeguarding Plan that offers only practical protection but does not address the causes of the abuse is likely to be potentially fragile.
- 5.17 Safeguarding Plans should not rely exclusively on professional sources of support. Where it is possible to involve local friends, family and community in supporting an adult this may offer a good basis for long term protection and recovery.
- 5.18 In situations where there are complex or protracted family disputes it may be advisable for the Safeguarding Plan to seek to map the route by which these could be addressed or, at the least, how the impact on the adult of these can be reduced. Work with families including family group conferencing or mediation may offer a way forward in such cases.
- 5.19 Where there is a formal legal order underpinning a Safeguarding Plan then workers need to remain aware of any timescales for this and also of any contingency plans that may be in place for the termination of such an order (e.g. bail conditions; detention under the Mental Health Act; Domestic Violence Prevention Orders).

5.20 Where there are concerns for other people, especially others in the adult's household, the Safeguarding Plan should make clear how the communication arrangements will work between the respective workers and what the relationship will be between the Safeguarding Plan and any other measures in place to protect others (e.g. child protection orders; Deputyship).

Safeguarding Plan Review Meeting

5.21 The person who is co-ordinating the Safeguarding Plan will arrange the meeting and will ensure that all those who contribute to the Safeguarding Plan are invited.

5.22 The Safeguarding Plan Review Meeting will be held 3 months after the implementation of a Safeguarding Plan and will review the arrangements against the desired outcomes and the risk of harm. This meeting will also consider any variations to the Safeguarding Plan and also the withdrawal of any participating agency.

5.23 Any person involved in the Safeguarding Plan can request a review. A Safeguarding Plan Review may be called at any time that it is felt necessary to bring together workers and others who are named in a Safeguarding Plan.

5.24 No one should terminate their involvement in the Safeguarding Plan without notifying the other people who are involved and where an agency or professional is considering withdrawal this should be considered as grounds for a Review Meeting.

5.25 If the adult moves to another authority or goes abroad the co-ordinator of the Safeguarding Plan will seek to ensure that all relevant information is shared with the appropriate agencies to mitigate any risks that are known of or can be anticipated.

5.26 The agenda for a Safeguarding Plan Review Meeting will be as follows:

1. Introduction / Apologies
2. Confidentiality statement
3. Purpose of meeting
4. What were the outcomes we were seeking to achieve?
5. Detail the progress made against these outcomes from the adult's point of view
6. Detail the progress against these outcomes from others involved.
7. What are the current levels of danger to the adult?
8. Is this Safeguarding Plan still required?

9. Are there any changes required to the Safeguarding Plan?

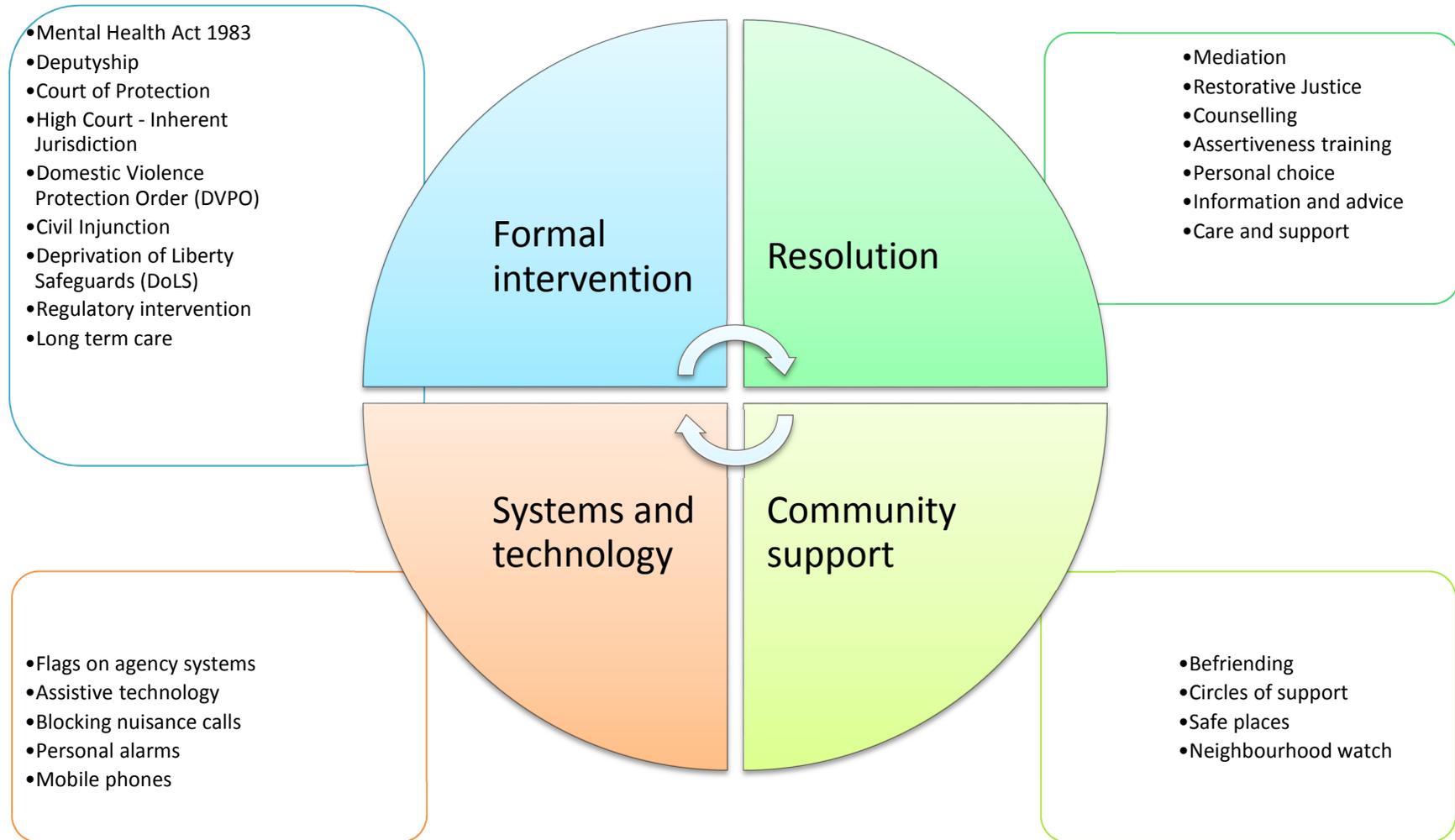
10. Further review meetings required?

Action Plan

11. Actions arising from the review

Termination of a Safeguarding Plan

- 5.27 The Safeguarding Plan will be terminated at the stage at which it is agreed that the risk of harm to the adult is no longer current (i.e. the adult is not at risk of abuse) or if the adult withdraws consent to the arrangements and is not prepared to accept other support or protection.
- 5.28 Termination of the Safeguarding Plan will be communicated to all those who are involved in the plan and also anyone else directly involved in the adult's care and support.
- 5.29 Termination of the Safeguarding Plan will be recorded on the Local Authority's social care record system. The outcome of the plan will also be recorded.



Short Practice guide 8 – Outcomes

Making Safeguarding Personal; research has shown that adults who have been the subject of adult safeguarding have felt a lack of control. Staff have often felt that there was no clarity about the extent and duration of the safeguarding process. This typically led to ‘drift’ where there was a lack of clear direction and focus.

An outcome based approach makes clear at the earliest possible stage exactly what the process is seeking to achieve and monitors its progress against this. This should be seen against the wider backdrop of wellbeing.

In adopting this approach it is essential that there is an understanding of the difference between the activity (output) associated with the process and the outcome itself. This is often the cause of confusion and the intervention may be seen as an end in itself without due consideration of the impact or benefits associated with it.

Activity (output) examples	Outcomes
<ul style="list-style-type: none"> ➤ Interviews ➤ Care provision ➤ Recording ➤ Parallel investigations ➤ Meetings ➤ Regulatory action ➤ Disciplinary process 	<ul style="list-style-type: none"> ➤ The difference that an intervention or process has achieved ➤ Impact on the adult ➤ Benefits ➤ Changes in lifestyle, relationships, feelings of safety, resilience.

Example: Belinda has care and support needs and she has been the subject of physical and emotional abuse by her partner. An Adult Safeguarding Section 42 Enquiry was undertaken in conjunction with a police investigation.

Belinda’s desired outcomes were that she should remain in her own home and feel safe from abuse from her partner.

There were multiple outputs in the course of the enquiry including interviews, care and support assessment, legal advice, advocacy, court action, meetings and the provision of care support.

As a result of the above, Belinda’s partner was prosecuted for assaults on her and he left their home with an injunction to prevent his return. Belinda was able to remain and, once she was convinced that he partner could not return to abuse her, she felt safe in her home and was able to develop her own relationships and interests

These were the outcomes of the enquiry and the Safeguarding Plan that was developed.