

## A guide to Understanding the Adult Safeguarding Process



**Information about Safeguarding enquiries and investigations, the roles of the Police and the Coroner, Care Inspectorate Wales, the Public Services Ombudsman and the Office of the Public Guardian.**

[www.northwales Safeguarding Board.wales/](http://www.northwales Safeguarding Board.wales/)

### What is Adult Safeguarding?

Abuse is any action that harms another person, and it can take many forms.

**Physical abuse** (e.g. hitting, slapping, pushing, physically restraining)

**Emotional abuse** (e.g. bullying, taunting, threatening or humiliating someone)

**Verbal abuse** (e.g. shouting or swearing)

**Financial abuse** (e.g. money or belongings being taken under pressure or without consent)

**Sexual abuse** (e.g. unwanted touching, kissing or sexual intercourse)

**Neglect** (e.g. not being properly cared for, mismanaging medication, being denied privacy, choice or social contact)

**Discrimination** (e.g. suffering abuse or neglect on the grounds of religion, culture, gender, sexuality or disability)

Abuse can happen in a person's own home, in a residential or nursing home or a day centre or hospital.

### What happens when abuse is reported?

When the local authority social services department are contacted by a person who is being abused – or someone concerned about another person's welfare, or receives a Safeguarding Report from another agency – they will **make sure that the person is safe**, will listen to/look at the situation, and then decide on an appropriate response.

In general the social services departments follow a three stage process:

1. **Screening** - To check general factual accuracy of any report.
2. **Initial Enquiries** - Collecting, reviewing and collating information.
3. **Decide what action/s to take.**

**Advocacy:** The Welsh Government's safeguarding guidance advises local authorities that they must consider "whether there is a need to involve an advocate under any statutory or voluntary advocacy

scheme", so as to support the person through some or all of the stages of an enquiry or investigation

Whether or not advocacy support is needed, "the wishes and feelings of the adult at risk" must be taken into account during an enquiry/investigation into abuse.

**Enquiries:** Local authorities must "make, or cause to be made, such enquiries as it considers necessary to decide what action, if any, should be taken. The authority "may make the enquiries itself, or may cause them to be made by another body". However, "the duty to determine the nature of the enquiries required remains with the local authority even where another body is carrying out the enquiries".

The outcome of the screening or enquiries will determine what, if anything, should be done. This may include initiating a single or multi-agency investigation" (i.e. depending on the specific details of the case).

If initial enquiries lead the social services department to conclude that the issue is not a concern in terms of safeguarding, social services must still consider whether the person might need other services from them.

### Investigations:

If an investigation is needed, this may be undertaken by the Police, Social Service and Health or it may be a joint investigation depending on the safeguarding concerns raised. Once they have investigated, they will reach a conclusion and decide whether the alleged abuse/harm has happened or not and discuss what should happen next.

They will also make sure that the individual is supported and safe.

There are different types of investigations that may be undertaken, during the safeguarding process.

**Criminal Investigations:** The police are a key safeguarding partner and may need to be involved in an emergency situation if there are concerns that an adult is at immediate risk of serious harm.

The police have powers to intervene if a person needs immediate assistance due to a health condition, injury or other life-threatening situation.

Police will look to establish:

- the views and wishes of the adult at risk
- whether a criminal offence as defined by law has been disclosed.

The evidence they gather about an allegation and about the actions of the person alleged to have committed the crime must therefore be robust enough to provide such proof in court.

**The Coroner:** Coroners are independent judicial officers who are responsible for investigating violent or unnatural or sudden deaths of unknown cause and deaths in custody, which must be reported to them. The Coroner may have specific questions. These are likely to fall within one of the following categories:

- where there is an obvious and serious failing by one or more organisations
- where there are no obvious failings, but the actions taken by organisations require further exploration or explanation.

**Care Inspectorate Wales (CIW):** CIW is the independent body responsible for inspecting, regulating and maintaining standards in social care services in Wales.

They have a range of powers to investigate and enforce changes on a service provider and then to carry out subsequent reviews. This could include, for example, where poor services have been identified which have led to – or could potentially lead to – neglect or abuse.

They have a duty to act promptly in urgent cases, which would involve liaising with the local authority as the lead for local safeguarding duties, or with the police where a crime has been committed.

### **If you have reported a concern about abuse, but are not satisfied with the response:**

#### **(Concerns raised with social services and/or the health service (NHS).)**

Using the **local authority's** complaints procedure - If you are not satisfied with the way that the local authority social services department have responded to a safeguarding concern, you can use their complaints procedure.

The complaints procedure has two stages:

**Stage One** - will involve an attempt at 'Local Resolution' with the same local authority that made the original decision.

**Stage Two** - would be a 'Formal Investigation' At the formal stage of the complaints process, an 'Independent Investigator' must be appointed.

**NHS/Health** - If you are unsatisfied by the way an NHS organisation has handled a safeguarding concern, you can use the NHS Wales complaints procedure.

#### **The role of the Public Services Ombudsman for Wales**

If you have used either the local authority or NHS complaints procedures, but remain unsatisfied with the outcome and/or handling of your complaint, you can escalate your case to the Public Services Ombudsman for Wales. The Ombudsman is impartial and independent from local authorities, the NHS and other government bodies.

They will normally expect you to have gone through the complaints procedure in full with the organisation concerned, prior to contacting them, though this is not necessarily the case.

**Contact: Tel: 0300 790 0203**

**Web:** [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

#### **Office of the Public Guardian (OPG):**

The OPG was established under the Mental Capacity Act to support the Public Guardian and to protect people lacking mental capacity by setting up and managing separate registers of lasting powers of attorney, of enduring powers of attorney and of court appointed deputies supervising deputies.

Part of their duties include dealing with complaints about the way in which attorneys or deputies carry out their duties.

Where a death has occurred and there are concerns for others in the same setting (such as a care home) or deaths that fall outside the requirement to hold an inquest but follow-up enquiries/actions are identified by the Coroner or his or her officers.

The OPG undertakes to notify local authorities, the police and other appropriate agencies where abuse is identified. .

**Please contact your Local Authority, if you have concerns about an adult:**

<b>Contact:</b>	<b>Office Hours</b>	<b>Out of Hours</b>
<b>Anglesey</b>	<b>01248 752 752</b>	<b>01248 353 551</b>
<b>Conwy</b>	<b>0300 456 1111</b>	<b>0300 123 3079</b>
<b>Denbighshire</b>	<b>0300 4561 000</b>	<b>0345 053 3116</b>
<b>Flintshire</b>	<b>01352 803 444</b>	<b>0345 053 3116</b>
<b>Gwynedd</b>	<b>01766 772 577</b>	<b>01248 353 551</b>
<b>Wrexham</b>	<b>01978 292 066</b>	<b>0345 053 3116</b>