

Hertfordshire Safeguarding Adults Board

# Safeguarding vs. safeguarding

FINAL

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## 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 enquiries 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 permission if possible and ring your concerns through to **Hertfordshire County Council on 0300 123 4042 or report your concern [online](#)**. Your concern will go to the Safeguarding Team. A Safeguarding Practitioner will decide how best to support an adult at risk who is experiencing abuse or neglect. You will be informed when your concern has been received and the next steps. Depending on your role with the adult at risk you may or may not be involved further in any enquiry. If anyone is in immediate danger, call Police on 999.
- 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 the Hertfordshire Safeguarding Adults Board's (HSAB) Multi-agency Policy and Procedure, or look on the HSAB website for further guidance.

### **3 What is ‘safeguarding with a small s’?**

- 3.1 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 formal s42 enquiry.

### **4. What should I do if I think someone needs support or a coordinated multiagency approach, but they are not experiencing abuse or neglect?**

- 4.1 If the person needs a social care assessment, seek their permission to request support and then you can ring 0300 123 4042 and ask to make a referral for a Care Act assessment or find out if they already have an allocated social worker.
- 4.2 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.

### **5. What should I do if I want to ask the local authority to review a small ‘s’ safeguarding decision?**

- 5.1 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.
- 5.2 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 in order 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 multi-agency 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 multi-agency 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 as a result 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 make a decision on his behalf.

- ✦ 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 as a result of his family's actions, and this could be leading to harm from infection and diabetes symptoms.*

### Further guidance

[HSAB Multi Agency Policies and Procedures](#)

[HSAB Multidisciplinary Guidance for Complex Cases 2022](#)

[Workforce Training Strategy: Safeguarding Adults Training Levels and Outcomes](#)

[Escalation Policy](#)

### Useful Contacts

Organisation	What they Provide	Contacts
Herts Fire and Rescue Service	They will come and do a home safety check	<a href="#">Fire safety home visits, and safety checks</a>
Carers in Herts	Support to Carers (all ages)	<a href="#">Carers in Herts</a>
Blue Badges	Help with mobility	<a href="#">Blue Badge – disability parking permit   Hertfordshire County Council</a>
HCC Adult Social Services	A – Z of Factsheets on all topics	<a href="#">Adult social services factsheets   Hertfordshire County Council</a>

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**Version Control**

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