**Swindon Safeguarding Partnership**



**PRACTICE GUIDANCE - SAFEGUARDING ADULTS DURING COVID-19 OUTBREAK**

This guidance is for all organisations involved in safeguarding adults in Swindon and provides a short summary of statutory safeguarding adult provision during the Covid-19 outbreak.

* **Swindon’s Commitment to Adult Safeguarding**

Swindon’s Safeguarding Partnership remain committed to safeguarding adults who we have reasonable cause to believe are unable to protect themselves against abuse or neglect or the risk of it, as a result of their needs for care and support.

There is a need for all organisations to work together to assist with an anticipated reduction in capacity of our front-line services.

Individuals, families, and communities are all experiencing unprecedented levels of anxiety, stress and isolation, which could lead to increased tensions within family homes, care settings and communities. In particular, there is a need to be aware of and respond to potential increases in risks related to both domestic and financial abuse and scams in the current climate. There is also a need to prepare to support isolated individuals against coercive relationships (in the current climate, adults at risk may be prone to accept help from those who seek to abuse them).

The key message to all partners is that **safeguarding adult’s duties continue to apply** and as far as possible it is business as normal. This position may change as the Covid-19 situation progresses and updated guidance will be provided as appropriate.

* **Safeguarding Adults Statutory duties and guidance**

The Coronavirus Act (2020) provides for changes to legislation to enable public services to provide an effective response to the global pandemic Covid-19. Changes would be temporary, lasting only for the duration of the emergency, and can be triggered or relaxed at the discretion of the UK Government and Local Authorities. Whilst the Act temporarily introduced a significant number of changes to the Care Act 2014, it does **not provide for any modifications to the adult safeguarding protections in Section 42, 43 and 44 of the Care Act (2014).**

The Coronavirus Act does introduce greater flexibilities for health and social care. Practitioners in health and social care must familiarise themselves with the detailed regulations set out in the Government guidance.

The Ethical Framework for Adult Social Care provides support to ongoing response planning and decision-making to ensure that ample consideration is given to a core set of ethical values and principles when organising and delivering social care for adults, including for safeguarding.

It should be noted that the Mental Capacity Act 2005 and the Deprivation of Liberty Safeguards (DoLS) have not been affected; these continue to be applied in full. However the government have produced emergency guidance to help manage DoLS during the crisis. This clarifies when a DoLS authorisation is necessary, and the basis on which an assessment can be made, including remote methods.

Included at appendix A is information regarding the statutory criteria for safeguarding adults, definition of abuse, categories of abuse, considerations before reporting concerns and reporting safeguarding adult concerns in Swindon.

* **Common Principles**

There are a number of common principles that all organisations including social care staff are asked to follow to assist with reducing demand upon our critical front-line services.

**1. Safeguarding Adults Concern**

* Before raising a Safeguarding Concern, all agencies to **check whether or not the statutory criteria for Safeguarding Adults is met (see below):**

**REASONABLE CAUSE TO SUSPECT that an adult (***over 18 years***)**

* **Has needs for care and support**
* **Is experiencing, or is at risk of abuse or neglect AND**
* **As a result of their needs is unable to protect themselves**
* Please ensure that the **Safeguarding Adults Concern contains as much information as possible** prior to submission.
* Practitioners need to **consider whether Covid-19 factors increase or change the risk to the individual or others.**
* Acknowledge that **low risk concerns will potentially receive delayed responses**, outside of locally agreed timescales.

Before reporting the Concern, consider the following:

* Have you **discussed your concerns** with the adult?
* Does the adult **understand what has happened** to them?
* Have you **discussed possible outcomes** with the adult? Have you **asked the adult** what they would like to happen?
* Have you **sought consent** from the adult to report a safeguarding concern? Is there a need to override consent?
* What do you need to do to **manage the immediate risks?** e.g. inform home management, police, GP etc?
* Have you **collected all the information** you need to raise a Safeguarding Adults Concern? Further information on abuse and reporting is included at appendix A and also on the [Swindon Safeguarding Partnership website.](https://safeguardingpartnership.swindon.gov.uk/swindonlscb/info/1/swindon_lscb/15/adult_safeguarding)

**2. Section 42 Enquiries**

* At the current time **Section 42 Enquiries will continue to be undertaken** in accordance with local multi-agency procedures, as there has been no change to Safeguarding Adults duties as set out in the Care Act.
* In accordance with the Care Act easements guidance, Local Authorities continue to offer the same level of safeguarding oversight and application of Section 42. However, safeguarding teams will be proportionate in their response and mindful of the pressure all agencies are likely to be under.
* Inevitably **high risk Section 42 Enquiries will be prioritised**.
* Due to the impact on resources (including staffing/services) it is acknowledged **that in some cases it will not be possible to fully remove risk**. This will be avoided wherever possible. These decisions and rationale will be clearly documented and revisited (if necessary) at the end of the Covid-19 situation.
* All organisations must abide by the UK Government guidelines on **social distancing** wherever possible. This has necessitated new and evolving safeguarding practice, including home working for the majority of our front-line practitioners and **the use of technology to facilitate multi-agency discussions and engagement with the adult at risk**.
* There will be a clear **prioritisation of Making Safeguarding Personal (MSP)**. Engaging with the Adult at Risk may be more challenging during the outbreak but that does not mean it should not happen.
* Organisations need to consider the **least intrusive response** to the presenting risk(s). This includes limiting contact between agencies, and with the adult at risk, wherever possible. Where face to face contact is unavoidable, an assessment of potential symptoms should be undertaken and personal protective equipment should be sourced for practitioners where necessary. Any face to face contact deemed essential should be considered on a case to case basis, and in accordance with local guidance and equipment.
* It is acknowledged that the **volume and nature of Safeguarding enquires may change,** and there may be reduced resources and services to mitigate risks. This will be monitored and responded to locally. Any changes required to local policy and processes should be agreed with the key professionals including Safeguarding Leads.

**3. Section 43 Safeguarding Adult Boards (SABs)**

* Given the demands on staff and critical services, it is acknowledged that **most SAB Business may need to be suspended or reduced**. However, the SAB is likely to want to seek assurance that statutory duties continue to be met, discuss business continuity, assist with co-ordination and communication, and address any new or emerging risks linked to Covid-19.
* All partner agencies must continue work to prevent and reduce the risk of harm to people with care and support needs, including those affected by Covid-19, and it is the role of the SAB to oversee this.

**4. Section 44 Safeguarding Adult Reviews**

* **Section 44 Safeguarding Adult Review referrals should continue to be identified and referred**, although there is an acknowledgement that there may be a delay in the referrals being assessed and considered by the relevant panel or sub-group.
* SABs are recommended to consider any ongoing or new referrals for a Section 44 Safeguarding Adult Reviews on a **case-by-case basis** to determine what work should be suspended and what work might need to continue or commence.
* **Any delays or suspension should be communicated with families who are involved in the Safeguarding Adult Review process**

**APPENDIX A**

**Statutory Criteria for Safeguarding Adults**

A Safeguarding Adults Concern should be raised if a person over 18 years of age:

* has or may have needs for care and support (whether or not the local authority is meeting any of those needs);
* is experiencing, or is at risk of, abuse or neglect; **AND**
* as a result of those needs, is unable to protect himself or herself against the abuse or neglect or the risk of it.

**Definition of Abuse**

* Abuse or neglect may be deliberate, or the result of negligence or ignorance.
* Unintentional abuse or neglect arises, for example, because pressures have built up and/or because of difficult or challenging behaviour which is not being properly addressed.

**Categories of abuse**

There are 10 categories of abuse or neglect. Someone may be experiencing or at risk of multiple categories of abuse or neglect.

1. Physical

2. Sexual (abuse/exploitation)

3. Psychological

4. Financial or material

5. Neglect or acts of omission

6. Discriminatory

7. Institutional

8. Domestic Violence (including Forced Marriage, Honour Based Violence and Female Genital Mutilation)

9. Modern Slavery

10. Self - Neglect

**Reporting a Safeguarding Adults Concern**

Concerns can be made directly to Swindon Borough Council by anyone. Professionals should use the online form via the Swindon Safeguarding Partnership website

https://www.swindon.gov.uk/forms/form/302/en/multi-agency\_safeguarding\_adults\_referral\_form

If you cannot access the online form, **contact the Adult Safeguarding Team, Swindon Borough Council** Tel: 01793 463555

E-mail: adultsafeguarding@swindon.gov.uk (During office hours - Monday to Friday inclusive, 8.30am to 5.00pm).

**Out-of-hours emergency duty service**

The emergency duty service is only for reporting safeguarding concerns that require urgent action out of normal working hours. Any other concerns should be forwarded to the Adult Safeguarding Team at adultsafeguarding@swindon.gov.uk, which will be processed the next working day.

Tel: 01793 436699

**Safeguarding Adults Investigation Team, Wiltshire Police**

Tel: 01380 826350 (During office hours: Monday to Friday inclusive, 9.00am-5.00pm).

**Police out-of-hours contact**

Tel: 101

Further information about Safeguarding Adults in Swindon can be found on our website: <https://safeguardingpartnership.swindon.gov.uk/swindonlscb/info/1/swindon_lscb/15/adult_safeguarding>