

Implementation of Care Act 2014 and statutory guidance

Checklist for partner organisations' safeguarding adults policies and procedures

	Check point	Reference	Tick when achieved /updated? State which sections of your policy cover this point
1.	General		
1.1	Does your policy refer to the Care Act 2014? Have you included a weblink? http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted		
1.2	Does your policy refer to the Care Act guidance? Have you included a weblink? https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation		
1.3	Do you have internal systems/mechanisms in place to ensure compliance with policies and procedures? Is this set out in your policy?		
1.4	Is your policy regularly reviewed?		
2.	Organisational responsibility		
2.1	Does your policy state which senior manager in your organisation has strategic responsibility for adult safeguarding?	CAG14.187, CAG14.109	
2.2	Does your policy state which operational lead in your organisation has responsibility for adult safeguarding? In smaller organisations this may be the same person who has strategic responsibility but in larger organisations, it is likely to be different managers. <i>Designated Adult Safeguarding Manager ('DASM') – Each member of the SAB must have a DASM responsible for the management and oversight of individual complex cases and co-ordination where concerns are raised about a person – paragraph 14.176 of the guidance</i>	CAG14.187, CAG14.109	
2.3	Does your policy have a diagram or organisational chart to show internal responsibility for safeguarding clearly?	DH SAAF recommendation	
2.4	Does your policy explain your organisation's relationship to the Southwark Safeguarding Adults Partnership Board?	CA43 CAG14.117	

3.	General principles		
3.1	<p>Does your policy explain how safeguarding adults links with 'the well-being principle' and the local authority's duty to promote well-being?</p> <p><i>'Local authorities and their partners must focus on joining up around an individual, making the person the starting point for planning and looking at the person holistically'</i></p> <p><i>'It is not possible to promote wellbeing without establishing a basic foundation where people are safe and their care and support in on a secure footing.'</i></p>	<p>CA1(2) CAG1.2 CAG1.5 CAG1.7</p> <p>CAG1.22</p> <p>CAG 1.26</p>	
3.2	<p>Does your policy explain that the definition of abuse has expanded and now includes:</p> <ul style="list-style-type: none"> - self-neglect - modern slavery - financial abuse - domestic abuse 	<p>CA42(3) CAG 14.22</p>	
3.3	Does your policy set out the 6 principles?	CAG14.13	
3.4	<p>Check that your policy clearly shows the shift away from safeguarding as a process, towards safeguarding as an outcome-focused approach. Further that it is not a linear process imposed on adults at risk of abuse or neglect, rather a series of steps, considerations and decisions made with the individual and representative, where appropriate, and that it is proportionate to the concern.</p> <p>Does your policy reproduce (preferably altered to be specific to your organisation) or at least refer to the Flowcharts/Decision Trees in the Care Act Guidance?</p>	<p>DH circular 11 11 2014</p> <p>CAG p250-2</p>	
4.	Cooperation and information sharing		
4.1	<p>Is your policy clear about the principles of co-operating, sharing information, improving joint working and addressing barriers</p> <p><i>'Early sharing of information is the key to providing an effective response where there are emerging concerns'</i></p> <p><i>'All organisations must have arrangements in place which set out the processes and the principles for sharing information....'</i></p> <p><i>'No professional should assume that someone else will pass on information which they think may be critical to the safety and wellbeing of the adult. If a professional has concerns about the adult's welfare and believes they are suffering or likely to suffer abuse or neglect, then they should share the information with the local authority and, or, the police if they believe or suspect that a crime has been committed'.</i></p>	<p>CA7 CAG14.51, CAG14.154, CAG14.34</p>	
4.2	Is your policy clear that it applies to ALL staff and volunteers? And that they have a duty to report concerns about abuse and neglect?	<p>CAG14.29, CAG14.30, CAG14.41, CAG14.54, CAG14.86, CAG14.196, CAG14.205</p>	

4.3	If your organisation is regulated under the Health and Social Care Act 2008, does your safeguarding policy explain the Duty of Candour?	CA81	
4.4	If your organisation is an NHS organisation or the local authority, does your policy set out the difference between a 'serious incident' and a safeguarding concern and how to respond to both? And do you have a clear agreement in place with the local authority on this?	CAG4.101, CAG14.12	
4.5	Is your policy clear about the roles and responsibilities and collaboration at all levels?	CAG14.167	
4.6	Does your policy set out the statutory responsibility to supply information if a Safeguarding Adults Board requests it?	CA45	
4.7	Is your policy clear that staff should be vigilant about adult safeguarding?	CAG14.29, CAG14.30	
5.	Skills, training & Learning		
5.1	Does your policy set out training requirements for staff and volunteers in contact with adults at risk?	CAG14.30, CAG14.86	
5.2	If your organisation provides care, does your policy set out the need for managers and senior staff to be trained in DoLS and MCA requirements?	CAG 10.67 CAG 14.59	
5.3	Does your policy set out the need for skilled staff and in particular 'legal literacy'?	CAG 14.59 CAG 14.199	
5.4	Does your policy set out arrangements to ensure review and embed learning from serious incidents, safeguarding adults reviews, national learning?	CAG 14.42	
6.	Operational safeguarding		
6.1	Does your policy specify that staff should be able to access regular face to face supervision from skilled managers?	CAG14.46, CAG14.172	
6.2	Does your policy explain how staff can access practical and legal guidance, advice and support about safeguarding concerns?	CAG14.40,	
6.3	Have you replaced all references to 'safeguarding investigations' with 'safeguarding enquiries'? Have you stated when a safeguarding enquiry is indicated? Does your policy explain that enquiries and reviews are not indicated where an adult was detained in prison at the time?	CA42(1) CA68	
6.4	Does your policy give clear guidance on the possibility of being asked to 'make safeguarding enquiries' and how to go about this?	CAG14.84-5 CAG14.59	
6.5	Does your policy set out what circumstances would lead to the need to report concerns to Southwark Adult Social	CAG14.53	
6.6	Does your policy set out how to contact Southwark Adult Social Care to report abuse? And how to contact the police and emergency services where the adult is in urgent need of help or in danger?	CAG14.53	
6.7	Does your policy make clear your organisation's responsibility to engage with all service users/customers regarding safeguarding such as providing information and advice, and awareness raising.	CAG14.11, CAG14.165	
6.8	Have you replaced all references to 'Serious Case Review' with the term 'Safeguarding Adults Review'? Have you set out the circumstances when staff or volunteers should refer a case to the Safeguarding Adults Board for a safeguarding adults review?	CA44 CA68	

6.9	Does your policy make clear in what circumstances and how to refer poor care issues to commissioners and/or CQC? Does your policy make it clear that providers have the primary responsibility for the quality of health and care services? And that commissioners should provide external challenge and review of the quality of services, with CQC ensuring the fundamental standards are met?	DH letter 11 11 2014	
6.10	Does your safeguarding policy refer to domestic abuse? If you have a separate policy on domestic abuse is it cross-referenced in your safeguarding adults policy? And does it contain the updated definition of domestic violence?	CAG 14.20 CDDA	
6.11	Does your policy explain the new responsibilities regarding protection of property?	CAG10.88	
6.12	Does your policy explain that safeguarding procedures do not generally apply to prisoners, but that prisons are expected to cooperate with Safeguarding Adults Boards?	CAG 14.6	
6.13	Does your policy include guidance on record keeping?	CAG14.87, CAG14.150	
7.	Personalisation		
7.1	Does your policy reflect the shift in emphasis towards personalisation? That is, practice that: <ul style="list-style-type: none"> - <i>'puts the adult and wishes and experience at the centre of safeguarding enquiries'</i> - <i>and 'seeks to enable people to resolve their circumstances, recover from abuse or neglect and realise the outcomes that matter to them in their life'?</i> Does your policy include the values, standards and guides on pages 250-252 of the statutory guidance? Check that the tone of your policy makes it clear that safeguarding should be 'done with service users/patients'; not 'done to them'.	CAG14.78-83 DH circular 1111 2014	
7.2	Does your policy make clear the link between safeguarding and the Mental Capacity Act 2005?	CAG14.44	
7.3	Does your policy explain the adult's right to advocacy?	CA68, CAG14.96-98	
7.4	Does your policy show the shift in emphasis towards sensible risk appraisal not risk avoidance?	CAG 14.8	
8.	Prevention		
8.1	Does your policy refer to safeguarding prevention? (and for the local authority how identification of carers and referral for carers assessment links to safeguarding prevention?) <i>'The local authority should consider the range of options for prevention and how those different approaches could support the needs of their local community. The local authority MUST consider the importance of identifying the services, facilities and resources which could form part of the overall local approach to preventative activity. Understanding the breadth of available local resources will help the local authority to consider what gaps may remain and what further steps it should itself take to promote the market or to put in place its own services.'</i>	CA24(1)&(2), CAG 14.36 CAG 2.5 CAG 2.16	
8.2	Does your policy explain your organisation's responsibility for	CAG14.55	

	preventing abuse and minimising the circumstances, including isolation, which make adults vulnerable to abuse?		
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- Abbreviations: CA = Care Act 2014 CAG = Care Act Guidance DH = Department of Health
CDDA = Home Office Information on the Change of the Definition of Domestic Abuse March 2013
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