

## Safeguarding Adults Enquiry Protocol

### Under the Multi-Agency Safeguarding Policy and Procedures for West Yorkshire and North Yorkshire

With the introduction of the Care Act 2014, and the revised multi-agency safeguarding adults policy and procedures, there have been changes to the nominated roles fulfilled by respective agencies.

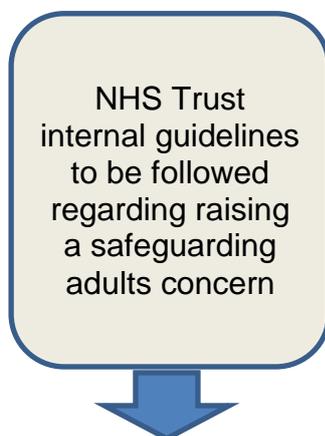
Where there are safeguarding concerns relating to services provided by Leeds NHS Trusts, this protocol outlines respective roles and responsibilities between the NHS Trust and the Local Authority.

**Summary Mapping** of roles and key responsibilities against the Multi-Agency Safeguarding Adults Policy and Procedures for West Yorkshire and North Yorkshire, which should be referred to for additional information.



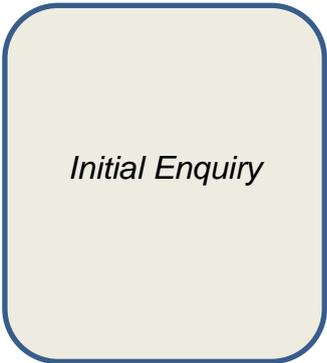
The concern is considered and, if abuse or neglect is suspected, raised as a safeguarding concern under the Multi-Agency Safeguarding Adults Policy and Procedures for West Yorkshire and North Yorkshire, in line with the Trust internal guidelines. This would be in addition to other Trust responses (for example, incident investigation or disciplinary investigation), where appropriate.

Internal guidelines should identify which Trust posts fulfil the role of “Safeguarding Concerns Manager” in the NHS Trust, and may include guidance on seeking advice from a lead safeguarding officer, in specific circumstances.



The Safeguarding Concerns Manager in the NHS Trust will, where possible:

- Gather information to establish cause of concern
- Discuss with adult at risk or representatives
- Establish wishes and desired outcomes
- Consider capacity and consent, and any justifiable reason for acting contrary to the person’s wishes
- Raise a safeguarding adults concern with the Local Authority



*Initial Enquiry*

Following receipt of a Safeguarding Adults Concern (regardless of who raised the concern), the local authority will need to establish whether there is a S42 enquiry duty, and if so, who is best placed to make the enquiry.

Where the local authority causes an NHS Trust to make the enquiry there should be a discussion to determine what has already been done and what is required. The Trust will require clear information about who in the Local Authority to liaise with both during and after the enquiry. An Initial Enquiry will be commenced to determine what action should be taken in the adult's case and, if so, what and by whom.

**Leeds Teaching Hospital  
NHS Trust:**

An enquiry will be undertaken by LTHT where:

- the adult at risk is or was an in-patient or attending a service provided by LTHT at the time of the allegation, **and**:
- The alleged abuse has taken place on LTHT property, **or**
- The person alleged to have caused the abuse is an LTHT employee

**Leeds & York Partnership  
Foundation Trust**

Initial enquiry will be undertaken by LYPFT where:

- The adult at risk is or was an in-patient in an LYPFT hospital service at the time of the allegation, **or**
- The adult at risk resides in a 24-hour service staffed by LYPFT; **and**
- The alleged abuse has taken place on LYPFT property, **or**
- The person alleged to have caused the abuse is an LYPFT employee **or**
- The adult at risk is an 'open case' to a CMHT, an LYPFT employee is the Care Coordinator and is the most involved professional, and the allegations do not require Formal Enquiry about another service provider.

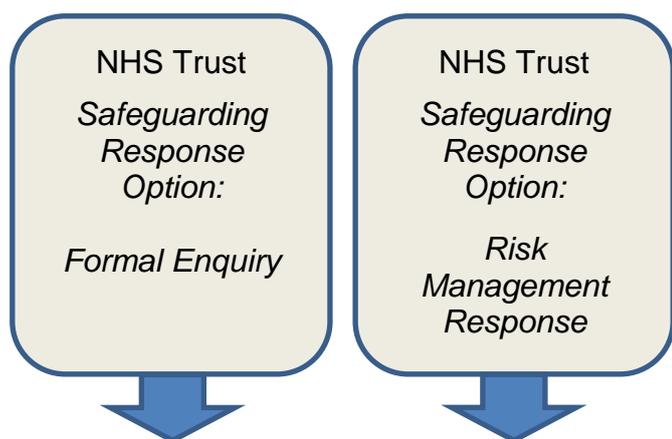
**Leeds Community Health Care  
NHS Trust**

Initial enquiry will be undertaken by LCH where:

- The adult at risk is or was an in-patient or attending or receiving a service provided by LCH at the time of the allegation, **and**
- The alleged abuse has taken place on LCH property, **or**
- The person alleged to have caused the abuse is an LCH employee **or**
- The adult at risk is an 'open case' to a JCMT team, an LCH employee is the Care Manager and is the most involved professional

The Local Authority may undertake an Initial Enquiry, and may request an NHS Trust undertake an element of this, where it is appropriate. The NHS Trust should liaise with the Local Authority once its work (whether part, or all, of the Initial Enquiry) is complete.

If the matter has been resolved during the Initial Enquiry, the outcome of the work undertaken by the NHS Trust must be notified to the Local Authority. The Local Authority needs to assure itself that the proposed outcome or course of action from the Initial Enquiry is satisfactory and whether any further actions are required to safeguard the adult and support recovery.



Where the concern is not resolved by the Initial Enquiry, the NHS Trust may recommend that further work is required. The Local Authority may request the NHS Trust to undertake further work in the form of a Formal Enquiry or a Risk Management Response. In these cases, the Local Authority should liaise with the NHS Trust to reach agreement on which type of response is most appropriate.

The NHS Trust will continue with the Safeguarding Response, liaising with the local authority, as necessary, so that the Local Authority can assure itself that the proposed outcome is satisfactory and whether any further actions are required to safeguard the adult and support recovery.

### **Formal Enquiry:**

The Strategy Discussion/Meeting to plan the Formal Enquiry will be chaired by either the NHS Trust or Adult Social Care. This will need to be agreed on a case by case basis by managers of the respective services.

Where the approach being taken or the issues raised by the Formal Enquiry changes, the Local Authority Team should be consulted to ensure that there is agreement about how to proceed. A strategy review meeting or discussion may be beneficial.

An appropriate representative of NHS Trust will act as the *Safeguarding Enquiry Officer* within the multi-agency policy and procedures unless there is a 'compelling reason' why this should not be the case. Where the role is fulfilled the NHS Trust, the Safeguarding Enquiry Officer will need to be someone who can act with:

- Integrity
- Competence
- Objectivity
- Independence

*Note:*

Formal Enquiries may combine information from other investigative processes, such as Serious Incident Investigations, as described in Section 13.4 of the multi-agency procedures, and the Leeds Practice Guidance: Coordinating Safeguarding Investigations (with other investigations). The Formal Enquiry Report should be completed and shared with the Local Authority. Where evidence is presented in other formats, the evidence should be cross-checked with the Formal Enquiry Report template, to ensure that all required information is made available. The Local Authority will need to review and satisfy itself that the proposed outcome or course of action is appropriate in the circumstances.

The Local Authority will advise whether there are any other actions needed to safeguard the adult (or adults) concerned, including whether it meets the criteria for a Case Conference Meeting. Where the concern does not meet the criteria for a Case Conference Meeting, the Local Authority will complete the Case Conference Discussion.

### **Risk Management Response**

A Risk Management Response is the term used to cover a wide range of options that might be used to safeguard the adult at risk, when there is no need for a formal enquiry. These options could include risk assessment and action planning, reassessments, revised care planning, mediation or a family group conference, when appropriate to the circumstances.

Where the NHS Trust is best placed to do so, it will undertake the Risk Management Response within the multi-agency policy and procedures, working with the person to manage the risk and achieve their desired outcomes, liaising with the Local Authority, as appropriate. The NHS Trust will feed back to the local authority, who will consider, what, if any further action is required to safeguard the adult at risk (or other adults at risk).

### **Closing the safeguarding adults episode**

If an NHS Trust makes enquiries they will need to agree with the Local Authority who will ascertain whether the desired outcomes of the adult at risk have been met.

Where no further enquiries or actions are required to safeguard the adult at risk or others, the Local Authority will agree closure and ensure that actions and information are appropriately recorded on CIS (the client information system), requesting information as required from the NHS Trust.

### **Resolving Practice Concerns**

Where there are areas of professional disagreement between practitioners of respective agencies, recourse should be made to the Leeds Safeguarding Adults Board Dispute Resolution and Escalation Process, which is an Annex of the Safeguarding Adults Board Constitution.