

PRACTITIONER GUIDE

What is the Care Act 2014?

The Care Act 2014 sets out a clear legal framework for how Local Authorities and other parts of the system should protect adults at risk of abuse and neglect.

How does The Care Act 2014 Protect Adults at Risk of Harm?

The Act sets out a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse or neglect. Northamptonshire County Council leads a local adult safeguarding system that seeks to prevent abuse and neglect and stop it quickly when it happens.

Section 42 of the Act – Enquiry by Local Authority, states:

- (1) This section applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):
 - (a) has needs for care and support (whether or not the authority is meeting any of those needs;
 - (b) is experiencing, or is at risk of abuse or neglect; and
 - (c) as a result of those needs, is unable to protect himself or herself against the abuse or neglect or the risk of it.
- (2) The local authority must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom.
- (3) 'Abuse' includes financial abuse; and for that purpose 'financial abuse' includes:
 - (a) having money or other property stolen;
 - (b) being defrauded;
 - (c) being put under pressure in relation to money or other property;
 - (d) having money or other property misused.

Six Principles of the Care Act

Empowerment - People are supported and encouraged to make their own decisions and informed consent;

Prevention - It is better to take action before harm occurs;

Proportionality - The least intrusive response appropriate to the risk presented;

Protection - Support and representation for those in greatest need;

Partnership - Local solutions through services working with their communities; and

Accountability - Accountability and transparency in delivering safeguarding.

The overarching purpose of a Safeguarding Adults' Board (SAB) is:

To help and safeguard adults with care and support needs. It does this by:

- Assuring itself that local safeguarding arrangements are in place as defined by the Care Act 2014 and statutory guidance;
- Assuring itself that safeguarding practice is person-centred and outcome-focused;
- Working collaboratively to prevent abuse and neglect where possible;
- Ensuring agencies and individuals give timely and proportionate responses when abuse or neglect have occurred; and
- Assuring itself that safeguarding practice is continuously improving and enhancing the quality of life of adults in its area.

The SAB must lead adult safeguarding arrangements across its locality and oversee and coordinate the effectiveness of the safeguarding work of its member/partner agencies. It also concerns itself with a range of issues which contribute to the wellbeing of its community and the prevention of abuse and neglect, such as:

- The safety of people who use services in local health settings, including mental health;
- The safety of adults with care and support needs living in social housing;
- effective interventions with adults who self-neglect, for whatever reason;
- The quality of local care and support services;
- The effectiveness of prisons in safeguarding offenders; and
- Making connections between adult safeguarding and domestic abuse.

The SAB has Three Core Duties:

1. Develop and publish a strategic plan setting out how they will meet their objectives and how their member and partner agencies will contribute;
2. Publish an annual report detailing how effective their work has been; and
3. Commission Safeguarding Adults Reviews (SARs) for any cases which meet the criteria for these.