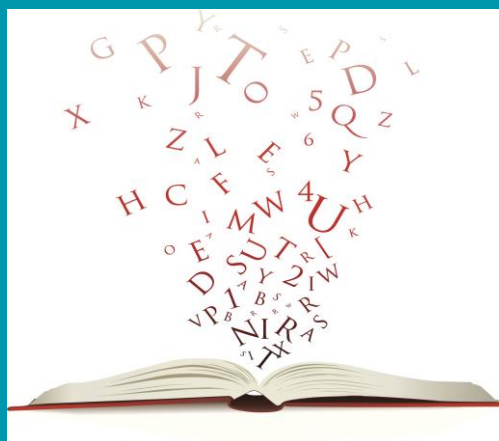


# Care Act terminology

## Guidance for safeguarding adults practitioners

### Did you know?

- Language matters. Many people felt that safeguarding adults language was too medicalised – that's why terms such as 'case conference' have been replaced.
- Also, people felt that safeguarding language was too intrusive and disempowering. That's why terms such as 'safeguarding investigation' have been replaced with 'enquiries'.



### The new Care Act language of safeguarding

The Care Act has brought about some changes in language and terminology in safeguarding adults. It has also introduced some new definitions.

The change in terminology and language signals the new way of working to safeguard adults at risk of abuse or neglect.

People have complex lives and being safe is only one of the things they want for themselves. The language around safeguarding adults has been changed to reflect this. Words such as 'perpetrator' have very negative and criminal associations. There is a move away from this kind of language to easier to understand, more neutral, constructive language.

The key changes in language around safeguarding adults are summarised in the table on the following pages.

Care Act terminology	Replaces (where relevant)	Comment
Safeguarding concern	Safeguarding alert/referral	<p>Safeguarding duties apply to an adult who meets the ‘three part test’:</p> <ol style="list-style-type: none"> <li>1. Has needs for care and support (whether or not the local authority is meeting any of those needs); <b>and</b></li> <li>2. is experiencing, or is at risk of, abuse or neglect; <b>and</b></li> <li>3. as a result of those care and support needs is unable to protect themselves from the risk or experience of abuse or neglect</li> </ol>
Safeguarding enquiry		<p>A safeguarding enquiry is any first action taken in response to a safeguarding concern to establish whether the local authority’s Section 42 duty has been triggered i.e. the three part test in the Care Act have been met.</p> <p>There is a move away from investigations (except criminal investigations by the police and where disciplinary investigations are undertaken by employers).</p>
Section 42 enquiry	Safeguarding investigation	<p>The local authority must make or cause other agencies or organisations to make enquiries when the Section 42 duty is triggered i.e. when it has reasonable cause to believe that the Care Act 3 part test has been met.</p>
Non-statutory enquiry		<p>There is no legal obligation on the Local Authority to undertake non-statutory safeguarding enquiries. Ordinarily, such adults would be signposted to sources of support instead.</p> <p>However, there is scope to for the local authority to undertake a non-statutory safeguarding enquiry if agreed. An example would be where the adult does not meet the ‘three part test’ but it is agreed that the risks are too high not to continue to take action.</p>
Initial actions	Immediate actions and Information gathering	<p>Any first responses made under the local authority’s Section 42 duty to make enquiries / cause enquiries to be made.</p> <p>Note: A conversation with the adult should always be one of the first responses if the adult has not already been spoken with.</p>

Care Act terminology	Replaces (where relevant)	Comment
Core group meeting	Strategy meeting / Case conference	In line with London Policy & Procedure, where Section 42 is to continue further, safeguarding planning should be discussed with all relevant parties' participation. In drawing up and implementing actions, a Core Group of key people should be identified. Membership of a Core Group will always include the adult at risk and/or advocate, Enquiry Officer and SAM. The core group professionals will be dependent on the complexity and nature of the enquiry.
Safeguarding plan	Protection plan	<p>Actions / arrangements agreed with the adult to support them in maintaining their safety. These should be incorporated into the adult's support / care plan where they have one. It should include clear information regarding roles and responsibilities or all those involved and the arrangements for monitoring and reviewing the effectiveness of the plan.</p> <p>While the local authority's Section 42 duty will be discharged once it has determined the adult has been safeguarded and/or the actions required have been taken, it must ensure that any action taken as a result of this process are monitored and kept under review.</p>
Conclusion of an enquiry	N/a	The local authority's Section 42 duty of enquiry continues until it has been decided what action is necessary to safeguard the adult, and by whom, and has ensured that this action has been taken.
Further actions (enquiries)	N/a	If the issue cannot be resolved through the actions taken in the initial response to the safeguarding concern, the local authority's duty under Section 42 continues until it decides what action is necessary to protect the adult, and by whom and ensures itself that this action has been taken.
Enquiry Manager (EM)	Safeguarding Adults Manager (SAM)	A suitably trained and experienced practitioner employed by the local authority and with responsibility for decision making in relation to Section 42 enquiries.
Enquiry Officer (EO)	Investigating Officer	A suitably trained and experienced practitioner undertaking an enquiry or aspects of an enquiry

Care Act terminology	Replaces (where relevant)	Comment
Designated Adult Safeguarding Manager (DASM)	N/a (this is a new role)	Each statutory member of the SAB (i.e. local authority, CCG and police) should have a DASM responsible for the management and oversight of individual complex cases, providing advice and guidance, liaising with other agencies as necessary, monitoring the progress of cases to ensure they are dealt with as quickly as possible.
Safeguarding adults review (SAR)	Serious case reviews	Safeguarding Adults Boards must arrange a SAR when an adult in its area dies as a result of, or has experienced serious abuse or neglect and there is a concern that partner agencies could have worked together more effectively. The aim of a SAR is to learn lessons.
'Cause of risk'	Alleged perpetrator	A person, organisation or service who may have some relationship to the cause of risk or issue of concern for the adult.
Adult	Adult at Risk	Note that although the statutory guidance has moved away from the term 'adult at risk', the London Safeguarding Adults Policy and Procedure uses the term 'adult at risk'.
Well-being		<p>Wellbeing' is a broad concept. It is described as relating to the following areas in particular:</p> <ul style="list-style-type: none"> <li>• personal dignity</li> <li>• physical and mental health and emotional wellbeing</li> <li>• protection from abuse and neglect</li> <li>• control by the individual over their day-to-day life (including over care and support provided and the way they are provided)</li> <li>• participation in work, education, training or recreation</li> <li>• social and economic wellbeing</li> <li>• domestic, family and personal domains</li> <li>• suitability of the individual's living accommodation</li> <li>• the individual's contribution to society</li> </ul> <p>There is no hierarchy in the areas of wellbeing listed above – all are equally important. There is also no single definition of wellbeing, as how this is interpreted will depend on the individual, their circumstances and their priorities.</p> <p>Wellbeing is a broad concept applying to several areas of life, not only to one or two. Therefore, using a holistic approach to ensure a clear understanding of the individual's views is vital to identifying and defining wellbeing in each case.</p>

Care Act terminology	Replaces (where relevant)	Comment
Making safeguarding personal (MSP)	N/a	Person-led and outcomes focused safeguarding practice. MSP engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control as well as improving quality of life, well-being and safety.
Organisational abuse	Institutional abuse	Includes neglect and poor practice within an institution or specific care setting
Modern slavery	N/a	Includes slavery, human trafficking, forced labour, domestic servitude.
Domestic violence	N/a	The Care Act guidance uses the term 'violence' in the widest sense of the word to include psychological, physical, sexual, financial, emotional abuse and 'honour' based violence.
Self-neglect	N/a	Self-neglect is now included as a type of abuse.

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### Useful Links

<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

<http://izzi/council/directorates/hass/about/policies/adult/protection/Pages/5practiceguidance.aspx>

<https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation>

With thanks and acknowledgements to Sussex SAB for their Safeguarding Adults Multi-Agency Policy and Procedures Section 5.3 on which this guidance is partially based.