



Gloucestershire Safeguarding Adults Board

Safeguarding Adults with care and support
needs who are experiencing or at risk of
abuse and neglect

‘Making Safeguarding Personal’ Practitioner Guide and Toolkit

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Introduction

'Making Safeguarding Personal' (MSP) is an approach to Safeguarding that aims to ensure that the individual and/or their advocate in relation to the safeguarding enquiry, are fully engaged and consulted throughout and that their wishes and views are central to the final outcomes as far as is possible. The individual has rights under the Care Act and the Mental Capacity Act to be supported and represented by an independent advocate when certain conditions are met. The individual needs to feel as empowered as possible, to have choice and control and at the end of the process to feel stronger and more confident as a result.

The introduction of 'Making Safeguarding Personal' requires that whilst working closely with the individual who has been abused or neglected and/or their advocate in order to understand what they want from the process, you must also carefully record their wishes at the outset and on an on-going basis. This enables everyone to clearly see at any stage throughout the enquiry what progress is being made relating to the desired outcomes, or if a change to these has been needed, why and when it took place. At the end of the enquiry you are also required to gain feedback from the individual or their advocate about their experiences throughout the enquiry and their satisfaction with the overall process.

To support you in this we have produced this 'Making Safeguarding Personal' guide and toolkit which covers:

1. The principles of 'Making Safeguarding Personal'
2. When and how to apply 'Making Safeguarding Personal'
3. The importance of meeting the person concerned and/or their advocate
4. Conversations to find out what the person/their advocate want to happen
5. Capturing and recording information about their wishes
6. Recording and evaluating the desired outcomes at the different stages of the process

Please note that this guide and toolkit does not replace the Gloucestershire Multi-Agency Adult Safeguarding Procedures, which must be followed at all times during the safeguarding process. This is solely a guide to help you understand 'Making Safeguarding Personal' and how to apply this to your practice.

Six Principles of Adult Safeguarding



These principles apply to all sectors and should inform the ways in which professionals and other staff work with adults (DoH, 2014).



1. The principles of 'Making Safeguarding Personal'

In the past, people involved in adult safeguarding processes have said they can sometimes feel they have little control in respect of what's happening to them; are not involved in discussions; are rushed to make decisions and have little say over outcomes. 'Making Safeguarding Personal' therefore promotes a shift in culture and practice, which ensures that the safeguarding process is more effective from the perspective of the person involved in the enquiry. An appointment of an independent advocate in certain circumstances will support the person to be involved. It is about having meaningful conversations with those at the heart of the process, seeing them as experts in their own lives and working successfully alongside them all the way through the procedure, so that at the end they feel they have been fully involved and are satisfied by the outcome, as far as is possible. It is also about collecting and recording information that demonstrates the impact on the person's life and the positive difference it has made.

Making Safeguarding Personal represents a 'shift from a process supported by conversations to a series of conversations supported by a process' ('Making Safeguarding Personal Guide 2014' by the Local Government Association & Directors of Adult Social Services).

Safeguarding must respect the autonomy and independence of individuals as well as their right to family life. In the context of the Human Rights Act, Article 8 Lord Justice Munby, speaking about people who are vulnerable or incapacitated states:

The fundamental point is that public authority decision-making must engage appropriately and meaningfully both with P and P's partner, relatives and carers. The State's obligations under Article 8 are not merely substantive; they are also procedural. Those affected must be allowed to participate effectively in the decision making process. It is simply unacceptable – and an actionable breach of Article 8 – for adult social care to decide, without reference to P and their carers, what is to be done and then merely tell them – to “share” with them – the decision.

What Price Dignity? Keynote address by Lord Justice Munby to the LGA Community Care Conference Protecting Liberties (14 July 2010)

2. When and how to apply 'Making Safeguarding Personal'

People cannot make decisions about their lives unless they know what the options are and what the implications of those options may be. They also need the chance to consider the options carefully. They can feel disempowered (and possibly damaged) by the safeguarding process unless they know what is happening and the choices they have. Therefore 'Making Safeguarding Personal' needs to be applied at every stage of the safeguarding adults process.

This means you need to ensure that:

- Advice about advocacy is provided at the very start of the enquiry and arrangements made for an independent advocate to represent and support the individual where he/she would have substantial difficulty in being involved in the process and where there is no other suitable person to represent and support them. Consideration must be given to appointing an Independent Mental Capacity Advocate (IMCA) where an individual lacks capacity and it is alleged that he/she has been abused or neglected by another person, or he/she is abusing or has abused another person. There is a power under the Mental Capacity Act and a duty in certain circumstances under the Care Act to appoint an advocate for individuals who are the subject of a safeguarding enquiry or a Safeguarding Adults Review. A judgement needs to be made about whether the duty applies in each case. Safeguarding enquiries can proceed before the appointment of the advocate – but one must be appointed as soon as possible.

- Access to IMCAs is not restricted to people who have no-one else to support or represent them, but you can only instruct an IMCA in situations where you propose to take, or have already taken protective measures. (See Multi-Agency Policy and Procedures.)
- The person at the centre of the enquiry and/or their advocate is fully involved from the outset.
- That the pace and locations of meetings are guided by the individual's needs and circumstances.
- Accessible information and advice is readily available.
- The views and wishes/desired outcomes of the person/their advocate are understood and addressed.
- They/their advocate are made aware of a range of possible options/outcomes from an investigation.
- Support is provided to help them make decisions where appropriate.

In order to understand whether the desired outcomes have been met, it is important that as the enquiry progresses information is captured and recorded on GCC's safeguarding enquiry document (on LAS). This includes information relating to 'Making Safeguarding Personal' and the desired outcomes of the individual. Any other agency practitioner will need to feed this information back to the contact in the GCC Safeguarding Adults Team so that it can be recorded.

There are occasions where the person's desired outcomes may not be achievable. This may be due to the level of risk, or when other people may be affected by the source of risk, for example if they do not want action to be taken with someone who is in a position of trust. It is important to be open and honest with the person in these circumstances, explaining why you will have to take action despite their wishes.

3. The importance of meeting the person concerned and/or their advocate

'Making Safeguarding Personal' puts the person involved in the safeguarding enquiry at its very heart. Therefore fully understanding their thoughts and wishes is vital if the outcome is to be successful.

As practitioners you should aim to develop a positive rapport with the individual and/or their advocate from the very beginning. Providing support to the individual, and as importantly, to the advocate in their role of representing the individual.

One way to build rapport is to have purposeful, respectful, face-to-face meetings. Make sure when you are setting these up that you check out where and when is best for the people you are meeting. Also if the meeting is taking place away from their home, that the access and facilities in the chosen venue are suitable and that your conversations are strictly private and can not be overheard.

Let the person and/or their advocate set the pace. Don't rush them or lead them. Match the type of language that they use so that you neither confuse and overwhelm them, nor are seen as patronising. Listen carefully and show empathy throughout.

Remember to go into any meeting with the viewpoint that the person involved in the safeguarding enquiry and/or their advocate know the situation best and that taking their wishes, feelings and beliefs into account is paramount. Also, any decisions that are made require the individual and/or their advocate's participation. It is vital therefore that meetings are managed in a way that ensures this happens. At the end of the safeguarding enquiry it is important that conversations take place that provide the individual and/or their advocate with good information and feedback.

4. Conversations to find out what the person/their advocate wants to happen

'Making Safeguarding Personal' is about talking through with people the options they have and what they want to do about their situation. Asking the questions "What do you want to happen?", "What's important to you?", "Is there anything that you don't want to happen?" should take place fairly early on in the conversation. Doing this is likely to result in more in-depth work at the early stage and better decision making regarding safeguarding activity.

Helping to identify their top three priorities is extremely useful. Also encouraging them to record these can be very worthwhile, as they then have them to refer back to throughout the enquiry.

Examples of the type of outcomes or conclusions that people may want are:

1. To be and feel safer
2. To maintain a key relationship
3. To have help to recover
4. To have access to justice or an apology, or to know that disciplinary or other action has been taken
5. To know that this won't happen to anyone else
6. To maintain control over the situation
7. To have exercised choice
8. To be involved in making decisions
9. To be able to protect themselves in future
10. To know where to get help

Of course your conversation may lead the individual and/or their advocate to identify other desired outcomes that are not included in this list.

'Making Safeguarding Personal' is about empowering and involving people who are involved in safeguarding enquiries so that they feel that the process has been a positive one for them, and has led to the results that they wanted at the outset or they are happy with the conclusion.

In order to monitor progress and effectiveness and indeed know when outcomes have been achieved it is essential that the initial desired outcomes are recorded along with any information that demonstrates why they are important to the individual. Then as the safeguarding enquiry progresses it is necessary for these outcomes to be reviewed on an on-going basis. This:

1. Helps keep the person at the centre of the enquiry.
2. Keeps everyone on track with what needs to be done.
3. Assists the person and/or their advocate to review the risks and rethink the outcomes if required.
4. Enables agreement that an outcome has been met as far as is possible.
5. Clarifies the end of the safeguarding support.

5. Recording and evaluating the desired outcomes at the different stages of the process

As the safeguarding enquiry progresses, practitioners need to be able to demonstrate that their work is effective.

After the initial outcomes have been agreed, it is important that at any subsequent meetings, discussions about how things are progressing towards the achievement of the outcomes take place and are recorded. This ensures that everyone knows whether things are 'on track' or if additional action needs to take place. It also confirms who will carry out the action and by when.

Once it has been agreed that the outcomes have been met as far as possible, and the process is at an end, feedback needs to be gathered from the person involved and/or their advocate about their experience of the Safeguarding enquiry.

6. Additional things to consider

- Consider the support in place for people following meetings.
- Consider any stigma the participant or family member may feel and how to deal with this.
- Consideration where possible for the same people from all agencies and professionals to remain consistent in meetings and throughout the process, including the Chair. The individual and/or their advocate to be informed of key

- people's absence and the reasons why.
- Consider the clarity of information given to an individual or their supporter when more than one statutory agency is involved – the roles and responsibilities of each agency.
 - Consider what written safeguarding information is given to people at the start of the safeguarding process.
 - Consider the environment and location of the safeguarding meeting and for the individual and/or their advocate to be involved in this decision.
 - Consider where a meeting is held in two parts, it may be more appropriate for the individual and/or their advocate to be the first in the room rather than enter a room of professionals.
 - Consider person-centred safeguarding meetings as best practice with the right people being present for the contribution they can make, rather than a reflection of professional roles e.g. ensuring the safeguarding person is asked who they would like to attend, not duplicating roles and reducing the possibility of participants feeling overwhelmed.
 - If the meeting is being held virtually, the same principles should apply. Additional consideration needs to be given to whether the person can take part in a meaningful way over a video/phone link, or whether other arrangements need to be arranged.

7. Feedback Questions

At the end of the safeguarding process, meet with the person and discuss the following questions. Ask and record reasons why outcomes were wholly, partly or not met and how we could have done better.

Yes / No / Partly

1. Did you feel you were listened to during the Safeguarding enquiry?
2. Have you got the outcomes you wanted?
3. Did we give you the chance to say what you wanted to happen?
4. Did you feel in control of the situation?
5. Are you happy with what we did for you?
6. Do you feel safer?
7. Do you feel happier as a result of the safeguarding enquiry?
8. What has improved for you?

Appendix 1

'Making Safeguarding Personal' – Example Case Studies from Other Areas

Case Study 1

Joyce had been experiencing issues with her neighbour. He had been asking her to lend him money. However Joyce said she didn't want 'anything to be done' as he was 'very kind' and was visiting her 2-3 times a week. She didn't want him to stop visiting her. Following further discussion between the practitioner and Joyce, where different options for responding were considered, Joyce said that she would like to speak with her neighbour on her own, but she wasn't sure how to start the conversation. The practitioner provided Joyce with some coaching about how she might start the conversation and what she wanted to get out of it. Joyce then felt able to talk with her neighbour about the issues. Whilst the neighbour was initially defensive, saying that he would never pressurise her to give him money, after a day or so he reflected on what Joyce had said to him and he visited her again to apologise for putting Joyce in the position where she didn't feel she could say no to his request. Although Joyce reports that her relationship with her neighbour is 'a bit fragile' since she talked to him he is still visiting her and hasn't asked her for money since she spoke with him.

Joyce felt able to talk about her experience of sight loss and how this had affected her confidence and self-esteem.

When a member of the safeguarding team met with Joyce to talk with her about her experience of safeguarding practice, she said that she felt she was listened to and that we wouldn't do anything unless she said we could.

[Bracknell Forest Council]

Case Study 2

Mr A is a 79-year-old man who lived with his wife and his son, B. He also has a daughter, C, who lives nearby. Mr A was admitted to hospital following a fall/collapse at home. It was alleged that his son may have assaulted him, the police investigated this and safeguarding procedures were implemented. Following admission to hospital Mr A had a dense stroke.

Mr A's social worker discussed the outcomes that Mr A would like to achieve from the safeguarding investigation; this was done while Mr A was still in hospital. Mr A had expressive and receptive dysphasia and cognitive impairment as a consequence of the stroke therefore the social worker requested input from the neuropsychologist, and speech and language therapist to establish the best form of communication with Mr A.

It was established that Mr A lacked capacity around major decision making such as

accommodation and finances; following this an advocate was instructed to support with best interest decisions. Mrs A wanted to care for her husband but lacked insight into his needs.

Mr A wanted to maintain his relationship with his wife and daughter but not his son. He wanted to be in a safe and supportive environment where his care needs could be adequately met.

As a result of a best interest assessment and assessment of all the risks, the outcomes were negotiated. Mr A was admitted to a nursing care home with contact with his wife and daughter maintained. Mr A does have capacity in relation to deciding who he wants to have contact with therefore this is continually reviewed in regard to contact with his son. Mr A is also consulted about his feeling of being safe within the care home environment at regular intervals.

[Gateshead Council]

Case Study 3

Susi has a moderate learning disability. She lives in a supported living shared house with minimal support. Historical factors mean that there is an acceptance by Susi of unwanted sexual relationships and tolerance of violence.

There have been previous safeguarding referrals alleging sexual abuse of Susi by her boyfriend. These have been reported but no Police action has been taken. Susi has been assessed as having capacity to make decisions about her relationship. A wide range of agencies and professionals are involved with Susi. Susi wanted to remain with her boyfriend. She wanted him to treat her differently and for the professionals to help change his behaviour.

Professionals wanted to put in a range of protective measures to prevent the sexual relationship whilst the risk remained significant. Susi attended the safeguarding meetings enabling her to express to all professionals what she wanted and dismiss the outcomes being suggested by professionals. The outcomes Susi wanted to achieve were at the centre of the safeguarding process. Positive risk assessments were a useful tool both to share with other professionals (in showing what was important to Susi) and in continued work with Susi enabling her to recognise the risk posed by the relationship with her boyfriend alongside her initial wish to maintain the relationship. Her preferred outcomes were represented at all safeguarding meetings and revisited and reviewed.

During the safeguarding process Susi began to realise that her initial outcomes were not achievable. She began to understand that her initial outcomes were unrealistic and the extent of the risk. Susie realised that her boyfriend's behaviour towards her would not change and that professionals could not change his behaviour.

She was supported with this by intensive work from the agencies involved with her. Susi adapted the outcomes she wanted as she began to understand what was

necessary to enable her to feel safe and minimise risk. She expressed a wish ultimately to leave her boyfriend. She set in place a long-term solution that she was happy with, to live in a new environment away from her boyfriend. Susi weighed up the risks and took the decision herself.

[Slough Borough Council]

Case Study 4

Mrs T is from time to time mentally unwell. She has been suffering with extreme depression and has been an inpatient within a local mental health unit. She has no immediate family but recently, as she has been unwell, some extended family members have visited her. They have heard that she has made a will and the main beneficiary is a younger person who has been living in her property for several years paying a nominal, small rent. The family members are also concerned about the “state of the house”. They raised a safeguarding alert citing financial/material abuse and neglect at the hands of the “lodger” (although there is no indication that this person has caring responsibilities).

Mrs T was visited on the ward in relation to these concerns and although some discussion could take place, there was some lack of clarity and concerns that Mrs T was not capacitated. She understood that there was a lodger in the house and could name him, but not discuss the financial matters in any great detail.

She agreed for social services to visit the house to consider if there would be any need for assistance once she was discharged home. She was not able to discuss her Will or talk about the relationship between her and the lodger. It was not possible therefore at this time to conclude whether anything untoward was taking place. Mrs T was not well enough to participate in assessing the concerns raised or in making any decisions. The timescales set out within the policy and procedures for safeguarding adults investigations were relaxed to allow time for Mrs T to recover and regain her mental capacity (which it was anticipated would “return” once she made a recovery). A visit to the house by the care coordinator took place, and no concerns regarding the neglect outlined by extended family were noted.

After two to three weeks Mrs T was able to discuss in detail the arrangements she had with the “lodger” and her views about her recent contact with extended family members. She talked fondly of the lodger and felt the contribution he made to the household budget was adequate and that he was good company. He also was very helpful to her with shopping, taking her out and carried out minor repairs to the property when necessary. The safeguarding adults process was explained to Mrs T and she did not want any further action taken in this regard. However she was supported to speak with her family who were informed of the outcome. They accepted this and the case was closed.

[Swindon Borough Council]

Appendix 2

Staff Guide – Aide Memoire

First Stage	Discussion to Include
<ul style="list-style-type: none"> • Meet individual/representative and have a face to face conversation • Consider the requirements for an advocate • Remember that safeguarding enquiries can proceed without an advocate but the duty to appoint remains • Consider mental capacity and complete a mental capacity assessment if appropriate • Explain the safeguarding process. Do not use jargon • Identify a suitable person to provide support, if required (it may be an advocate/IMCA) • Consider a family group conference to help the individual to obtain their outcomes • Record conversations with the individual, include an assessment of capacity and their views and wishes • Records should remain factual • Where an IMCA is appointed, consider and take into account the report that they produce with their findings 	<ul style="list-style-type: none"> • What is important to the individual? Have a conversation to help identify their priorities • What can be done to make the individual feel safer • What does the individual want to happen as a result of safeguarding (outcomes) • What the individual does not want to happen • What help and support is needed to enable the individual to understand the process and express their views and wishes • What will happen next

S42 Enquiry Discussion/Meeting	Discussion after Meeting to Include
<ul style="list-style-type: none"> • Ensure the individual/representative's views are presented to the meeting/discussion and the actions reflect the desired outcomes • Remember an advocate has the right to meet the individual in private and they may need time to do this • Meet and give feedback to the individual/representative as soon as possible after the discussion/meeting, ensuring actions and next steps are clearly explained • An advocate should prepare a written report if they are concerned about the local authority's actions/decisions/proposed outcomes. The local authority may need to convene a meeting with the advocate to discuss their concerns and then provide the advocate with a written response. 	<ul style="list-style-type: none"> • Outcome of discussion/meeting • Individual's priorities. They may have changed • Where the individual would like the meeting/s to be held • Whether additional support is needed to help the individual understand process and express their views and wishes • Next steps

Safeguarding Planning Meeting	Discussion before Safeguarding Planning Meeting to Include
<ul style="list-style-type: none"> • Ensure the individual/representative is invited to the meeting and knows what to expect • Ensure the individual/representative is offered support to attend • If the individual/representative is not present, put forward their views at the meeting • Record details of the conversation with the individual/representative before and after the meeting • Record the outcomes of the meeting and the responsibilities for actions • Record whether there have been any changes to the individual's wishes and desired outcomes 	<ul style="list-style-type: none"> • Recap the outcome of the discussion/meeting • The individual's priorities and desired outcomes may have changed • What will happen at the Planning Meeting • What help and support is needed to enable the individual to understand the process and express their views • Ensure the individual is okay after the meeting <p>Discussion after the meeting:</p> <ul style="list-style-type: none"> • Confirm arrangements for the next meeting (if known) • Is additional help and support needed to enable the individual to understand the process and express their views? • Next steps

Planning Review	Discussion before Planning Review to Include
<ul style="list-style-type: none"> • Ensure the individual/representative is invited to attend the review meeting and knows what to expect • Ensure the individual/representative is offered support to attend • Record details of the conversation with the individual, including any changes to wishes and outcomes 	<ul style="list-style-type: none"> • Outcome of the safeguarding enquiry • What will happened at the review meeting • What help and support is needed to enable the individual to understand the process and express their views and wishes • Next steps