

7-minute briefing on **Safeguarding v safeguarding**

1. Why do we need to know the difference?

We hear 'safeguarding' used in lots of different ways and this can cause confusion for people working with adults. How do you know what action to take when you have contact with a person in need of support?

Safeguarding can mean two quite different things: a formal response under the law led by the local authority, Section 42 Care Act 2014 (**Safeguarding**) or, a response by any involved agency to help someone reduce general risks and meet needs in their day-to-day life (**safeguarding**).

2. Safeguarding with a capital S

A **safeguarding enquiry under s42** happens when:

- a concern about a person is shared with the local authority (Norfolk County Council adult social care) **and**
- that person has needs for care and support (under the Care Act criteria) **and**
- they are at risk or experiencing harm or abuse **and**
- because of the impact of their care and support needs they are unable to protect themselves from the abuse or harm

3. What to do if I think a safeguarding enquiry is needed?

Wherever possible get the adult at risk's permission to share the concerns and call Norfolk County Council adult social care on **0344 800 8020**. Say that you want to report a safeguarding adults concern. You will then speak to someone who will take all the information needed for the local authority to make a decision. Use the [Checklist for raising a concern](#) to make sure you have the right information to hand.

Even if you can't get permission, the local authority may still be able to act if the person is at risk or others may also be at risk. See NSAB [7 Golden Rules](#) for information sharing for more detail.

4. What is 'safeguarding with a small s'?

Many people with physical or mental health needs, who also need help to manage their care, live in complex circumstances. These people may need support to keep safe and well, to manage the risks of day-to-day life, and may need a variety of health, social care, housing, voluntary or other agencies to work together to do this.

However, they are not necessarily experiencing abuse or neglect, so will need that joined up approach to help them keep safe, but not under a formal s42 enquiry. This

can also be thought of as prevention – support to stop a situation happening or developing into something abusive or harmful which would need a S42 enquiry.

5. What to do if I think someone needs support to keep safe and well?

Ask the person's permission to contact the local authority for a social care assessment, and then you can call **0344 800 8020** to pass on that request or find out if they already have a social care worker involved.

If the person has a health or mental health need, ask their permission to contact their GP or other health professional involved. If the need is life-threatening or very urgent use 999 in the usual way. If you already know people in the agencies already involved, you could contact them to ask for a discussion or meeting, to consider the risks involved and co-ordinate a joined-up response from everyone.

6. Safeguarding or safety?

It can be useful to think “what **category** of abuse or harm am I concerned about?” If it doesn't fit easily into one of the 10 categories in the Care Act, it may not be right for a response under S42. The local authority has to have ‘reasonable cause to suspect’ that abuse is present before it can legally act.

Refresh your memory on the [types of abuse on our website](#).

This does not mean that the person doesn't need some support, or that the local authority won't assist or intervene – just that the s42 safeguarding enquiry process is not the way to get that assistance.

7. Can I ask the local authority to review their decision?

If you have rung the local authority but they tell you it won't become a S42 enquiry, first ask the person you are speaking with for a clear explanation of why, so that you can understand the reason.

They will often offer advice, signposting or other support with the issue, regardless of the safeguarding decision.

If you still have concerns about abuse and harm, you can ask for the decision to be reviewed – what other information might you have to add?

You may have additional concerns that come up after that decision was made – you can always go back to the local authority to tell them about anything new that happens – accumulation, escalation or new risks may trigger the safeguarding duty.