

## About this guide

This guide is for individuals who have been named within an allegation as potentially causing abuse to an adult with care and support needs.

If an allegation has been made about your actions, this can be a difficult and stressful time. This guide explains what a safeguarding enquiry involves and how you can expect to be treated throughout the safeguarding process.

If there is anything in this guidance that you do not understand, please speak to us using the contact details provided at the end of the guide.

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## 1. What is Safeguarding Adults?

In response to the Care Act 2014, we have a duty to make enquiries when we are notified of concerns or allegations about abuse or neglect.

The findings from these enquiries are used to decide whether abuse or neglect has taken place and whether the adult at risk needs a protection plan. A protection plan is a list of arrangements that are required to keep the person safe.

## 2. Key Roles

The Safeguarding Chair is a manager or senior practitioner from Adult Social Care who has been appointed to oversee the safeguarding enquiry.

The Safeguarding Enquiry Practitioner is a Social Worker appointed to undertake the enquiry. It can also be a manager or nurse in the service where the concerns have arisen.

## 3. What does a safeguarding enquiry involve?

The purpose of a safeguarding enquiry is to:

- Establish the facts about an incident or allegation.
- Find out the adult's views and wishes.
- Protect the adult from the alleged abuse and neglect as the adult wishes.
- Establish if any other person is at risk of harm.
- Enable the adult to achieve resolution and recovery.

The enquiry may include interviewing people who have witnessed or been involved in the incident. It might also involve reviewing records or policies and procedures.

Sometimes other enquiries will also be needed for example if a criminal offence is suspected the police or trading standards may undertake an

investigation, and if so, this will take priority. In these instances, you may be required to liaise directly with the regulatory authority rather than the Safeguarding Team. If the person is an employee, then a disciplinary process may be required.

A safeguarding enquiry is separate from these, but often it is possible for organisations to work together so that people do not need to be interviewed more than once.

#### 4. Fairness

Care will be taken to make sure the safeguarding enquiry is conducted in a way that is fair to all concerned.

The following principles apply:

- An enquiry will be carried out impartially.
- An enquiry will be undertaken with an open mind as to what has or has not happened.
- An enquiry will base its findings on the established facts.
- If concerns have been raised about your actions, then you will have a chance to respond to these allegations.
- You will have an opportunity to respond to the findings of the enquiry.

If you are being interviewed, you can have someone sit in with you for support if you find that helpful. If you have communication needs, these will be provided for. Although the safeguarding adult procedures are non-legal in nature, some people choose to seek independent advice.

If you feel that the enquiry is not being undertaken fairly, you can raise your concerns with the Safeguarding Chair.

## 5. Reviewing the findings of the enquiry

The findings of the enquiry will be reviewed, and a decision made as to whether there is evidence, on the balance of probabilities, as to whether abuse or neglect has occurred.

Your views on the allegation and the enquiry's findings will be included in this decision. You will be informed of decisions made that affect you.

Throughout the safeguarding enquiry, decisions will need to be made as to whether any actions are needed to keep the adult or other people safe. These decisions will need to be reviewed once the enquiry is completed.

Depending on the nature and seriousness of the allegations, these decisions may be made by the Safeguarding Adults Manager or at a Safeguarding Strategy meeting, taking your views into account.

A Safeguarding Strategy meeting can be held where it is helpful for all concerned to meet and discuss the findings of the enquiry. The meeting will include those people involved in undertaking the enquiry or taking actions to keep people safe. It will also include the adult or their representative. If an allegation has been made about your actions or practice, you may be invited. The decision to invite you to the meeting will need to consider the wishes of the adult or their representative, and the views of the Safeguarding Adults Manager whether it is appropriate.

## 6. Information for relatives/informal carers alleged to have caused harm

Where an incident has occurred unintentionally, for example, due to the extent of care demands on you, or your own needs as a carer, or your understanding of the person's care needs, it may be necessary to review the care and support needs of the adult at risk and your needs as a carer to support you better in your role.

Decisions about who the adult has contact with or receives support from, should be made by the adult. If the person lacks mental capacity about these decisions, then a decision will be required in their 'best interests' in line with the Mental Capacity Act 2005.

You may choose to seek support from family and friends or depending on your circumstances, an advocate, carer support group/network or someone else.

## **7. Information for other adults with care and support needs, alleged to have caused harm**

The purpose of the safeguarding adult procedures is to keep people safe. If your actions have caused someone else to be harmed, then it will be necessary to find ways to keep them safe in the future.

There may need to be a decision about whether you have contact with them in the future, and if so, how often or how this is managed. If the incident has occurred because you need more support or a different kind of support, then your needs and services will also be reviewed. This will be discussed with you. If you lack the mental capacity to make these decisions yourself, then a decision about your support needs will be made in your 'best interests' in line with the Mental Capacity Act 2005, taking your views and wishes into account.

You may choose to seek support from family and friends, or depending on your circumstances, your social worker, an advocate, carer, support group/network or someone else.

## **8. Information for employees and volunteers alleged to have caused harm**

If an allegation has been made about you in the course of your work, then your employer/organisation will need to provide you with support. This will need to include:

- supporting you to understand the procedures being followed.

- being available to respond to your questions.
- keeping you updated as appropriate.

As well as support from your manager, you may also choose to seek support from family and friends or depending on your circumstances, a union representative, or a professional body/support network.

If you are a volunteer, you may wish to contact a national voluntary organisation for advice or information. Similarly, if you want to seek advice on your employment rights, you may wish to contact organisations such as the Citizens Advice Bureau (CAB).

If there is a need to make changes to your working arrangements whilst an enquiry into an allegation takes place your manager will speak to you about this.

If your employer/organisation is not aware of a safeguarding adult enquiry concerning your actions at work or in your private life and you work with vulnerable adults, you should inform the organisation as soon as possible.

## **9. If I have questions about the enquiry, who can I speak to?**

You can speak to the Safeguarding Enquiry Practitioner or the Safeguarding Adults Chair.

If concerns have been raised about your practice or actions in your work, you should speak to your employer in the first instance.

## Contact Details Adult Social Care

Directorate of Adults &  
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Relay UK (for deaf, hard-  
of-hearing, and speech  
impaired people)

Office hours: Monday to Thursday: 8.30 am - 5.00 pm and Friday:  
8.30 am - 4.30 pm.

If you need help in emergency when our offices are closed, you can  
contact the  
Emergency Duty Team: 01642 524552.

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