



# Safeguarding Adults Threshold Guidance Learning Briefing

## **Background:**

The implementation of the Care Act significantly changed adult safeguarding in setting out a clear legal framework for how local authorities and other parts of the system should protect adults at risk of abuse or neglect. In addition to defining ten categories of abuse and neglect it established a three-key test, or threshold, requiring local authorities to undertake safeguarding enquiries if there is 'reasonable cause to suspect' this key three key test has been met.

Learning from Safeguarding Adults Reviews, and other forms of review, undertaken has identified that abuse or neglect is not always identified and escalated appropriately. We also know that many of the safeguarding concerns being received locally are not considered to meet this three-key test, also known as the threshold, or eligibility criteria, with abuse or neglect requiring a safeguarding enquiry to be undertaken not identified.

## **The Benefits of Pan-Sussex Guidance**

Both East Sussex and West Sussex SABs already had existing forms of thresholds guidance, which included examples in relation to each category of abuse and neglect to aid professional's decision-making as to whether a safeguarding concern needed to be raised.

Whilst both individual versions had been extremely successful developing pan-Sussex thresholds guidance enables a shared understanding to be developed across local authority areas in relation to abuse and neglect.

This in turn enables greater consistency around decision-making, supporting all partner agencies but particularly those who work across Sussex.

## The Three Key Test

Section 42 (1) of the Care Act sets out the criteria that must be considered in relation to raising a safeguarding concern, and the subsequent decision as to whether a safeguarding enquiry is triggered.

Whether there is 'reasonable cause to suspect' that an adult

1. Has needs for care and support (whether the local authority is meeting any of those needs)
2. Is experiencing or is at risk of abuse or neglect, and
3. As a result of their needs is unable to protect themselves.

The SAB Safeguarding Adults Threshold Guidance uses a RAG (Red, Amber and Green) rating system with examples in each category of abuse and neglect under the Care Act to identify how likely it is that abuse or neglect is occurring.

Non-reportable	Requires Consultation	Reportable
Lower-level concern where the threshold for a safeguarding enquiry is unlikely to be met	Incidents at this level should be recorded, internal policies and procedures followed.	Incidents at this level should be formally raised as a safeguarding concern with the local authority Adult Social Care department.

### What else can you do?

We know that if professionals and agencies raise a safeguarding concern with the relevant local authority they often consider they have fulfilled their duties and that no further action is required.

However, if the three key test, or threshold, for a safeguarding enquiry is not considered to be met by the local authority then no safeguarding actions will be taken. This often results in the person not receiving any form of support in relation to the specific issue or concern.

Therefore a key component of this thresholds guidance is that it includes some alternative actions that should be considered if it appears that the threshold for the local authority to undertake a safeguarding enquiry under section 42 of the Care Act will not be met. Alternative internal actions might include providing advice and information, training, a review of any existing care plans, arranging a Mental Capacity Act assessment, or disciplinary procedures. External actions might include a referral to health services (such as a GP or therapist), a referral to another organisation, or requesting a social care assessment

### **Please remember**

This guidance is **not** a substitute for professional judgement but should be used to assist decision making and to support professional judgement. It should be used in conjunction with the [Sussex Safeguarding Adults Policy and Procedures](#) as well as each agency's own safeguarding policies and procedures.

It is also not a substitute for each agency following their own internal incident policies and processes and responding to practice and performance issues with staff or following agency disciplinary procedures.

**The SAB Safeguarding Adults Threshold Guidance also includes a range of other information. This includes areas such as Quality and Safeguarding, Radicalisation, and PIPOT (People in a Position of Trust).**

**It also contains frameworks and guidance in relation to several other areas that are not categories of abuse or neglect under the Care Act but in which safeguarding concerns are often raised. These are pressure ulcers, falls, medication errors, incidents between adults in a service and homelessness.**