

## CARE ACT ADVOCACY - SAFEGUARDING

### WHAT IS CARE ACT ADVOCACY?





Care Act Advocacy (CAA) is a statutory advocacy role that was introduced in the Care Act 2014. You are legally entitled to advocacy if you meet certain criteria.

A Care Act Advocate can support you if you have difficulties being involved in or making decisions about your care and support needs. The aim of advocacy is to ensure you are able to participate in decisions being made about your care and support, to better enable your wellbeing.

An advocate can support you if you have “substantial difficulty” taking part in assessments and reviews of your care needs. Substantial difficulty is defined in the Care Act.

Advocates do not make decisions themselves about your care review or assessment and they are independent of the decision makers.

Your advocate could support you and be involved in several processes that are undertaken by the local authority such as:-




-  Care Act assessments
-  Care and support planning
-  Care reviews
-  Safeguarding issues

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### What is safeguarding?

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Safeguarding arrangements are designed to protect you. The safeguarding duties in the Care Act apply to you if you:

-  have needs for care and support (whether or not the local authority is meeting any of those needs)
-  are experiencing, or are at risk of, abuse or neglect
-  as a result of your care and support needs you are unable to protect yourself from either the risk of, or the experience of abuse or neglect.

We all have different preferences, backgrounds, circumstances and lifestyles, and your needs for care and support are different to another person's. Safeguarding arrangements should be personal to you.

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### How should safeguarding work for me?

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Safeguarding protects your right to live in safety, free from abuse and neglect. People and organisations should work together to prevent and stop the risk and experience of abuse or neglect that you face, while at the same time making sure your wellbeing is promoted.








Your views, wishes, feelings and beliefs should be considered before a course of action is decided on. The course of action selected must recognise that your life and relationships might be complicated and you may be unclear, undecided or perhaps even a bit unrealistic about your personal circumstances.

Being safe might be only one of the things you want. Professionals should work with you to establish what being safe means to you and how that can be best achieved. They should not advocate 'safety' measures that do not take account of your individual wellbeing.

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### What are the aims of safeguarding?

Safeguarding arrangements should:-

-  prevent harm and reduce the risk of abuse or neglect to adults with care and support needs
-  stop abuse or neglect wherever possible
-  safeguard you in a way that supports you to have choices and control about how you want to live
-  promote an approach that improves your life.
-  raise awareness so that everyone can be part of preventing, identifying and responding to abuse and neglect
-  provide information to help you understand different types of abuse, how to stay safe and how to raise a concern.
-  Try to address what has caused the abuse or neglect.

### The principles behind safeguarding

Empowerment – you should be supported and encouraged to make your own decisions and where you can, give informed consent.

Prevention – Where possible, harm should be prevented.

Proportionality – The safeguarding response should not be disproportionate and overly intrusive to your life.










Protection – you should be protected when experiencing abuse and neglect and you can participate in the safeguarding process to the extent that you want.

Partnership – Local communities have a part to play in preventing, detecting and reporting neglect and abuse. Professionals should work together.

Accountability – People should be responsible and as transparent with you as they can be when dealing with your safeguarding issue.

### What types of abuse and neglect are there?

There are many types of abuse and neglect. Some examples are:-

-  Physical abuse
-  Domestic violence
-  Sexual abuse
-  Psychological abuse
-  Financial or material abuse
-  Slavery
-  Discrimination
-  Organisational abuse
-  Neglect
-  Self-neglect
-  Domestic abuse

### Who should I tell if I, or someone else, is being abused or neglected?







In Section 42 of the Care Act 2014, the local authority must make enquiries, or tell another agency to make enquiries, whenever abuse or neglect are suspected, to enable the local authority to decide what action is needed to help and protect you, if any.

All health and social care providers will have their own safeguarding policies and procedures that they must follow if a concern is raised with them and they can then raise the issue with the local authority with, or for you, so that a Section 42 enquiry can be undertaken where necessary.

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### What happens after a S42 enquiry?

Once enquiries are completed, the local authority should determine with you what further action is necessary and acceptable, if any. A common outcome is for an extra section to be included in your care plan. This could include:-

-  what steps have to be taken to keep you safe in future
-  what additional support, treatment, therapy or advocacy you might need
-  changes that need to happen to the way services are provided.
-  how to support you if you want to seek justice or legal redress
-  how any ongoing risks can be managed
-  any action to be taken in relation to the person or organisation that caused the concern

### What do Care Act Advocates (CAAs) do in their role?

A CAA can support by:

Visiting you in a care home, hospital or other place.




If they have been appointed to support you, you have the option to speak with them in private.

CAAs can help you to access your care records.

CAAs can meet with professionals and other people who are involved in your care or treatment.

CAAs can represent your views and wishes and try to secure your rights, by challenging decisions that appear not to be in line with your own decisions, views, wishes and feelings.

A CAA will:

-  Listen carefully to what you tell them about your views and feelings.
-  Support you to speak up or speak up on your behalf if needed.
-  Make sure you are involved in decisions being made about you.



## CARE ACT ADVOCACY - SAFEGUARDING

### What is the Care Act?

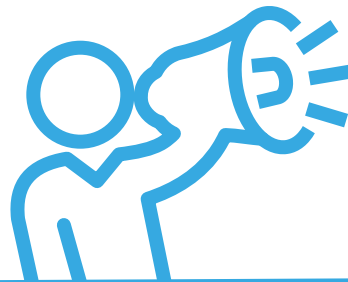
The Care Act 2014 explains how social care in England should be provided. The aim of the act is to improve people's wellbeing and independence by promoting prevention, integration, information, personalisation and quality of care/support services.

### How can I make a referral?

Health and social care professionals have a duty to refer clients to Care Act advocacy services in some circumstances. If you are in any doubt whether a referral should be made, please contact us.

Referrals for advocacy support are usually made by health or social care professionals, n-compass asks the referrer to note which area of the Care Act the client requires support with, together with a brief explanation.

If you are involved in a Care Act process as a client, you can self-refer for advocacy support, if a Social Worker is involved in the process.



**TO LEARN HOW ADVOCACY  
CAN HELP PLEASE GET IN TOUCH**

**The n-compass Digital Advocacy Hub provides free and impartial information on a range of common advocacy issues.**

**n-compass delivers several advocacy services across the north of England.**

**To find out if we deliver in your locality:-**

Website: <https://www.n-compass.org.uk/our-services/advocacy>

Sign video: <https://ncompass.signvideo.net>