

Safeguarding and the Care Act case example – Neglect

Mr James lives at home with his mother. He has autism spectrum disorder, and has difficulties speaking but can communicate his views through typing.

He contacted his Day Centre Manager via email stating that he was extremely unhappy and wanted to leave home. In addition, the manager had observed him arriving at the day centre in a poor state of clothing. Due to these concerns she spoke with Mr James who agreed that she could share this information with Adult Social Care (ASC).

The manager then raised a safeguarding concern as she felt Mr James' mother was being neglectful towards her son.

The information gathered confirmed that Mr James has care and support needs in terms of a cognitive impairment, and he appeared to be at risk of neglect and, as a result of his care and support needs, he may not be able to protect himself from further harm. Consequently, the Section 42 duty to undertake a safeguarding enquiry was triggered.

An ASC worker visited Mr James and his mother, and found he was living in an uninhabitable property, that he was covered in lice, appeared unkempt and the property was due to be repossessed. His mother was struggling to support him and she agreed to an immediate period of respite until the property situation could be resolved.

The worker then asked Mr James whether he wanted an independent advocate to assist him to articulate his wishes and views around the safeguarding enquiry and his wish to leave home. He agreed to be supported by an advocate for the duration of the safeguarding enquiry.

A safeguarding planning meeting was held. This was chaired by the ASC manager and included Mr James, his mother, his advocate, the Day Centre Manager and ASC worker. Mr James chose to share his views in writing, with the advocate verbally communicating these. He spoke of the difficulties of living at home and wanting to take more control over his life. In order to achieve this he identified his desired outcomes as:

- I want to live near my mother but not with her.
- I want to live in an environment where there are people similar to me.
- I want to attend my day centre and take part in community activities.

During this meeting Mr James' mother said she understood her son's need to have more independence, but found it difficult to let him become an adult, and hard to ask for help. At the end of the meeting a safeguarding plan was agreed which included:

- Mr James would remain in respite care, but the ASC worker would work with him to find appropriate supported accommodation with his friends near his day centre.
- Mr James agreed times and places he would meet his mother, including a weekly overnight stay at her house, once her property situation had been resolved.
- A carer's assessment was to be undertaken with his mother, and a referral to an outreach service which could assist her with her housing issues.
- His mother agreed to speak to her local borough council to request advice and guidance to avoid eviction and applying for a grant for home improvements.

This safeguarding plan was reviewed during a follow-up safeguarding meeting, and it was confirmed that the following outcomes had been achieved:

- Mr James had moved to a supported accommodation flat with a friend from the day centre.
- Mr James had started travel training with a support worker to attend the day centre, evening cookery classes and social events.
- Mr James had arranged to meet his mother at agreed times for tea visits and shopping / coffee trips, and stayed with his mother once a week.