



Portsmouth Safeguarding Adults Board

One Minute Guide to carrying out Section 42 enquiries

What is a Section 42 enquiry?

A Section 42 enquiry is the action taken or instigated by the local authority in response to a safeguarding concern where there is reasonable cause to suspect that an adult:

- Has care and support needs *and*
- Is experiencing or at risk of experiencing abuse and/or neglect *and*
- As a result of their care and support needs, is unable to protect themselves

An enquiry could range from a conversation with the adult (or their representative or advocate), right through to a much more formal multi-agency plan or course of action.

The purpose of the safeguarding enquiry is to establish with the adult and/or their representative(s) what action, if any, is required in relation to the concern and who should take such action. The first priority should always be to ensure the safety and well-being of the adult.

What are the objectives of an enquiry?

The specific objectives of an enquiry are to, where possible:

- Ascertain the adult's views, wishes and desired outcomes
- Establish facts when able to do so
- Protect the adult from abuse or neglect, in accordance with their wishes
- Assess the needs of the adult for protection, support and redress, and how these might be met
- Make decisions as to what action should be taken with regard to the person or organisation thought to be the cause of risk.
- Enable the adult to achieve resolution and recovery.

Who should carry out the Section 42 enquiry?

The local authority has the lead co-ordinating role for all safeguarding enquiries but can cause enquiries to be made by another agency or organisation, for example if they have a relationship with the adult or have specialist knowledge of the issues. If the local authority safeguarding team has asked you to carry out a Section 42 enquiry they will

discuss with you the purpose, scope and timescale of the enquiry. They will ask you to complete a Section 42 enquiry report using a provided template.

How should I complete the Section 42 enquiry report?

If you have been asked to write a Section 42 enquiry report, some tips for completing the report are:

- Use the Section 42 enquiry template provided by the Adult MASH. This will guide you through the critical information to be collected in the enquiry
- The adult at risk (and/or their advocate) should be involved in the enquiry from the start, to collect their views and wishes and to allow actions to be taken in line with these
- Remember that the report will be shared with the adult at risk and/or their advocate, so ensure that you use professional language throughout
- Do not use full names of staff members - use first names, initials, or job titles.
- Complete every box on the template - the information requested is all important and the enquiry may not be signed off if boxes are left blank
- A Section 42 enquiry is not an investigation or a method of apportioning blame. You do not need to decide whether concerns are substantiated or unsubstantiated as part of the enquiry

Summary of Concerns

This section should include a brief description of the adult at risk and the abuse/neglect they have experienced or are at risk of experiencing.

- What are the specific facts? Who was involved?
- How long has the abuse or neglect been going on?
- How serious is the injury or harm sustained?
- What information has been gathered?
- What actions have been carried out already?

You should also include any relevant information about the adult at risk in this section such as briefly outlining their care and support needs and any other relevant safeguarding concerns they have been involved in.

Views of the Adult at Risk

Has the adult at risk been assessed as lacking capacity to make decisions about the risk to them under the Mental Capacity Act (2005)? - if you answer yes to this, a mental capacity assessment must have been completed. If you answer yes to this, you must consider who can advocate for the adult. Find One Minute Guides to Advocacy and the Mental Capacity Act at [Information & Resources \(portsmouthsab.uk\)](http://portsmouthsab.uk)

The collection of the views of the adult is a crucial part of the safeguarding process and should be included in every enquiry. All safeguarding enquiries should adhere to Making

Safeguarding Personal principles. Read the One Minute Guide to Making Safeguarding Personal at [One-Minute-Guide-to-Making-Safeguarding-Personal.docx \(live.com\)](#)

The adult at risk (or their advocate) should be asked:

- What their experiences have been
- How these experiences have affected them
- What they want to happen and how they want the enquiry to proceed

The desired outcomes of the adult at risk should be at the forefront of the enquiry and will be referred back to at the conclusion of the enquiry.

Chronology

The chronology section of the report is where events and information collected relevant to the enquiry are recorded. These could include incidents, meetings, reviews of documents, visits, telephone calls, and discussions with the adult at risk.

Items are added to the chronology in date order, providing a summary of the event/information, and detailing where this information is recorded (e.g., in case notes, meeting minutes) More information about compiling a chronology can be found at [One-Minute-Guide-to-completing-a-Case-Chronology.doc \(live.com\)](#)

Risk Assessment and Action Taken

During the enquiry, a number of risks may be identified and should be recorded in this section, along with the actions taken to reduce the risk and the outcome.

For example, one risk in an enquiry related to medication errors could be that staff training was out of date. The action taken during the enquiry was that all staff refresh their medication competency training and that management regularly audit staff training records. Therefore, this risk was reduced.

In another example, in an enquiry about financial abuse, one risk could be that an adult's relative had access to their bank account and was stealing money. The action taken during the enquiry was that the adult decided that they wanted the local authority to manage their money for them, and an appointee-ship was set up, meaning that the relative no longer had access to the adult's bank account. Therefore, this risk was removed.

Conclusion

The conclusion should mainly be drawn from the views of the adult at risk and risk assessment sections of the report, answering two main questions:

- Have the desired outcomes of the adult at risk been achieved?
- Is the adult still at risk, have appropriate actions taken place, and have risks been reduced sufficiently in line with the views and wishes of the adult?

Recommendations

The final part of the enquiry is to make recommendations to particular individuals or agencies to help prevent these risks from recurring and keep the person safe in the future. These should be based on learning identified during the enquiry and best practice would be to discuss recommendations with the person being allocated them prior to the enquiry being concluded.

Recommendations should be achievable, have a reasonable timeframe and be allocated to a specific individual.

What happens next?

When you complete an enquiry, this must be signed off by Portsmouth Adult MASH* prior to being shared with the adult or their advocate. Send a copy of the enquiry report to PortsmouthAdultMASH@portsmouthcc.gov.uk for review. Adult MASH may contact you to make amendments or carry out further safeguarding actions.

Once signed off you will receive an email from the Adult MASH informing you that the enquiry has been signed off and reminding you to share a copy with the adult and/or their advocate as required.

After a safeguarding enquiry and action taken to ensure that the person is no longer at risk of abuse or neglect or the risks have been reduced or managed, practitioners should consider what ongoing support the adult may need.

** If you work for PCC ASC and complete an enquiry, your line manager can sign this off and return a completed closure form to Adult MASH*

Where can I get more information?

Access the Multi-agency safeguarding policy, 4LSAB Safeguarding Concerns Guidance, Multi-agency risk management framework and Family Approach Protocol <https://www.portsmouthsab.uk/procedures/>

Contact Adult Safeguarding on 023 9268 8613 or email PortsmouthAdultMASH@portsmouthcc.gov.uk