



SAFEGUARDING, DISCLOSURE & PERSONAL SAFETY

The Care Act & Adult Safeguarding

Understanding abuse, neglect, self-neglect and safeguarding responsibilities in England.

The key idea

The Care Act 2014 provides the main statutory framework for adult safeguarding in England. It sets out when local authorities must make safeguarding enquiries and places the adult's wellbeing, wishes and involvement at the centre.

What does adult safeguarding mean?

Adult safeguarding is about protecting an adult's right to live in safety, free from abuse and neglect. Under the **Care Act 2014**, safeguarding should also promote the person's wellbeing and take account of their views, wishes, feelings and beliefs when deciding what action may be needed.

Safeguarding is not only about stopping harm

Good safeguarding also considers prevention, recovery, autonomy, accessible support and what the adult wants their life to look like after concerns have been raised.

Who do the statutory safeguarding duties apply to?

The Care Act duties apply where there is reasonable cause to suspect that an adult:

- has needs for care and support, whether or not those needs are currently being met by the local authority;
- is experiencing, or is at risk of, abuse or neglect; and
- because of those care and support needs, is unable to protect themselves from the abuse, neglect or risk of it.

All three parts matter

Having a disability, diagnosis or care need does not automatically mean a person meets the section 42 safeguarding threshold. Equally, the person does **not** need to receive council-funded care or lack mental capacity for the duty to apply.

Section 42

When the statutory criteria are met, the local authority must make, or cause others to make, whatever enquiries it considers necessary to decide whether action is needed to prevent or stop abuse or neglect, and if so what action and by whom.

An enquiry can look very different from case to case

A safeguarding enquiry is not one fixed investigation. It can range from a conversation with the adult and proportionate information-gathering to a more formal multi-agency process.

Recognising abuse and neglect

The Care and Support Statutory Guidance describes a range of abuse and neglect. Categories can overlap, and a person's experience may not fit neatly into only one.

Physical abuse

Including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

Domestic abuse

Including psychological, physical, sexual, financial or emotional abuse, and controlling or coercive behaviour within relevant personal or family relationships.

Sexual abuse

Including sexual activity, contact, exposure or acts to which the person has not consented, could not consent, or was pressured into.

Psychological abuse

Including threats, intimidation, humiliation, coercion, harassment, isolation, verbal abuse or unreasonable withdrawal of support.

Financial or material abuse

Including theft, fraud, scams, coercion around money or property, misuse of benefits, possessions or financial arrangements.

Discriminatory abuse

Abuse or harassment connected with characteristics or identity, including disability, race, sex, age, religion, sexual orientation or gender identity.

Other forms of abuse and neglect

Modern slavery

Including slavery, trafficking, forced labour and domestic servitude, where people are controlled or exploited for another person's benefit.

Organisational abuse

Neglect or poor practice within an institution, care setting or care provided in a person's home. It can arise from individual behaviour or from harmful systems, routines, cultures or practices.

Neglect and acts of omission

Including ignoring medical, emotional or physical care needs; withholding necessities such as medication, nutrition or heating; or failing to provide access to appropriate health, care or support.

Self-neglect

A broad range of behaviour where a person neglects their own hygiene, health or surroundings, including some forms of hoarding. Self-neglect is assessed individually and does **not automatically** lead to a section 42 enquiry.

Abuse can happen anywhere

Concerns can arise in a person's own home, a family home, hospital, care home, supported living, community setting, workplace or online. The person causing harm might be a partner, relative, friend, neighbour, another service user, professional, paid carer, volunteer, stranger or organised group.

Look at patterns as well as incidents

A single event may be significant, but safeguarding can also involve repeated smaller actions that together create fear, dependency, exploitation, neglect or loss of control.

Raising a safeguarding concern

You do not need to prove that abuse or neglect has happened before raising a concern. Safeguarding information can be shared when there is a reasonable concern that an adult may be experiencing, or be at risk of, abuse or neglect.

Immediate danger

Call **999** where there is an immediate risk to life or serious harm. If a crime may have occurred but there is no immediate emergency, police can be contacted through the appropriate non-emergency route.

Who can receive a safeguarding concern?

Adult safeguarding concerns are commonly raised with the local authority adult social care or safeguarding service for the area where the adult is. Health and care organisations also have safeguarding procedures and should know how to pass concerns to the appropriate local authority.

What information is helpful?

- What happened, or what you are worried may be happening.
- Who is involved and whether the adult is currently safe.
- The adult's care and support needs and how these affect their ability to protect themselves.
- What the adult has said they want to happen, where known.
- Any immediate risks to children, other adults or the wider public.
- Relevant communication, accessibility or advocacy needs.

Do not investigate it yourself

Record what you have seen, heard or been told as accurately as possible. Avoid confronting a suspected perpetrator or repeatedly questioning the adult where this could increase risk, contaminate evidence or make it harder for them to speak freely.

What if the section 42 criteria are not met?

A concern falling outside the statutory section 42 threshold does not automatically mean that nothing can happen. Other social-care, health, police, domestic-abuse, housing, advocacy or community responses may still be appropriate, and local authorities may sometimes undertake other proportionate safeguarding activity.

The person's wishes, consent and capacity

Adult safeguarding is different from assuming that somebody else should decide what is safest. The person's wishes and desired outcomes should be sought and taken seriously throughout the process.

Making Safeguarding Personal

The Care Act framework supports person-led, outcome-focused safeguarding. See the dedicated *Making Safeguarding Personal* resource in this collection for a fuller exploration of choice, outcomes and participation.

What if the adult does not want action?

An adult with capacity may make decisions that other people consider risky or unwise. Their wishes are highly important, but there are situations where agencies may still need to share information or act - for example where other people are at risk, serious crime is involved, coercion is affecting free choice, or another legal duty applies.

Consent is important, but not the only legal basis

Professionals should not promise absolute confidentiality. Where information needs to be shared without consent, the decision should have a lawful basis, be proportionate, and be explained to the adult where it is safe and appropriate to do so.

Capacity is decision-specific

A diagnosis or disability does not itself show that a person lacks capacity. Where there is a genuine reason to doubt capacity for a particular decision, the **Mental Capacity Act 2005** provides the framework for assessment and decision-making.

Advocacy

The Care Act requires independent advocacy in certain safeguarding situations where the adult has substantial difficulty being involved and there is no appropriate person able to support their involvement.

What happens during an enquiry?

The exact process depends on the concern and the level of risk. The local authority remains responsible for deciding what enquiries are necessary, even where another organisation is asked to carry out some of the work.

Understand the concern

Information may be gathered about what has happened, current risk, the adult's care and support needs, their wishes and whether anybody else may be at risk.

Talk with the adult

Where possible, the adult should understand why safeguarding is happening and be involved in deciding what outcomes they want and what response would be helpful.

Work with relevant services

Depending on the situation, this might include social care, health services, police, housing, care providers, domestic-abuse services, advocacy or other organisations.

Decide what action is needed

An enquiry should help establish whether action is required to prevent or stop abuse or neglect, what that action should be and who should take it. Sometimes the conclusion may be that no further safeguarding action is required.

Safeguarding Adults Boards

Each local authority area must have a **Safeguarding Adults Board (SAB)**. Its core membership includes the local authority, NHS and police. SABs coordinate and scrutinise local safeguarding arrangements and publish strategic plans and annual reports.

Safeguarding Adults Reviews

A SAB must arrange a **Safeguarding Adults Review (SAR)** in specified serious cases involving death or serious abuse or neglect where there is concern about how agencies worked together. The purpose is organisational learning and improvement, not simply attributing blame.

Six principles underpinning safeguarding

The statutory guidance sets out six principles that should inform adult safeguarding across sectors and settings.

Empowerment	Support people to make their own decisions and give informed consent wherever possible.
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Prevention	Act early where possible rather than waiting for harm to occur.
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Proportionality	Use the least intrusive response appropriate to the risk.
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Protection	Provide support and representation for people in greatest need.
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Partnership	Services, communities and professionals work together while sharing information appropriately.
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Accountability	Roles, decisions and safeguarding processes should be transparent and understandable.
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These are not a checklist to complete	The principles should shape how safeguarding is approached from beginning to end - including how people are spoken with, how risk is balanced with autonomy and how decisions are explained.
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Practical reminders

- Adult safeguarding under the Care Act applies in **England**.
- A person does not have to receive council-funded services to meet the section 42 criteria.
- A person does not have to lack mental capacity for safeguarding duties to apply.
- Abuse can be caused by people the adult knows, professionals, organisations or strangers.
- Self-neglect is recognised in the statutory guidance but does not automatically trigger a section 42 enquiry.
- Safeguarding should consider the person's wishes and desired outcomes as well as risk.
- Concerns can be raised without having proof that abuse or neglect occurred.
- Immediate danger should be treated as an emergency rather than waiting for a safeguarding process.

If you are unsure

If something feels unsafe but you are uncertain whether it meets the Care Act threshold, you can still seek safeguarding advice. The local authority is responsible for deciding how the statutory criteria apply to the information it receives.

About this resource

This PDF provides general educational information about adult safeguarding under the Care Act 2014 in England. It does not replace individual legal, safeguarding or professional advice. Local safeguarding pathways and contact arrangements vary by area.

Information reviewed: September 2026

References & further information

Department of Health and Social Care. *Care and Support Statutory Guidance - Chapter 14: Safeguarding.* Current statutory guidance on sections 42-46 of the Care Act, abuse and neglect, enquiries, Safeguarding Adults Boards and Safeguarding Adults Reviews.

Department of Health and Social Care. *Revisiting safeguarding practice.* Current practice guidance reinforcing the section 42 criteria and person-centred adult safeguarding responsibilities.

Care Act 2014. In particular sections 42-46 concerning adult safeguarding enquiries, Safeguarding Adults Boards and reviews.

Mental Capacity Act 2005. The statutory framework for decision-specific capacity and decision-making where capacity is lacking.

Related resources in this collection

See **Making Safeguarding Personal** for a deeper look at person-led outcomes. Later resources cover the **Domestic Abuse Act 2021** and the **Power and Control Wheel**, while the Capacity, Consent, Liberty & Advocacy collection explores mental capacity in greater depth.