

Title:

Responsibilities of a Safeguarding Adults Investigator

Business Area:

Devon Safeguarding Adults

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Related Legislation / Strategy / Policy:

Care Act 2014; Care Act 2014 Statutory Guidance; Police and Criminal Evidence Act 1984; Youth Justice and Criminal Evidence Act 1999; Sexual Offences Act 2003; Protection from Harassment Act 1997; Criminal Justice and Courts Act 2015

Related Practice Guidance:

Advocacy in Safeguarding; Legal Framework; Managing HR Concerns with Safeguarding Adults; Operational Guidance; Recording and Preserving Evidence; Responsible Manager

Contents

1. The Responsibilities of a Safeguarding Adults Investigator	3
2. Undertaking investigations and assessments as part of a Safeguarding Adults Enquiry	3
3. Recording.....	4
4. Using a Chronology.....	4
5. Conducting Interviews.....	5
6. Writing the Report	6

1. The Responsibilities of a Safeguarding Adults Investigator

- 1.1. The investigating officer assigned to carry out and co-ordinate the Enquiry will be responsible for:
 - Obtaining the adult's views, involving them in the Enquiry and ensuring that there has been appropriate consent and consultation on sharing their personal information (see section on [Information Sharing](#))
 - Ensuring that the person's views and interests are considered in line with the Mental Capacity Act if they lack capacity for aspects of the Enquiry.
 - Carrying out the Enquiry in partnership with other agencies in line with the Terms of Reference for the Enquiry
 - Keeping the person who reported the concern informed of the progress and outcome of the Enquiry if appropriate and lawful to do so.
 - Providing a written summary of the findings by a timescale agreed with the Responsible Manager and the Chair of the Safeguarding Meeting
 - Carrying out any other actions agreed through the planning of the Enquiry process
- 1.2. If new information of potential criminality comes to light at any stage during Enquiry, the Police must be informed before proceeding any further

2. Undertaking investigations and assessments as part of a Safeguarding Adults Enquiry

2.1. Preparation Checklist

- 2.1.1. Ensure that you understand the Terms of Reference and how to investigate them.
- 2.1.2. At the start of the Enquiry you will need to understand and:
 - Plan for the continuing involvement of the adult, taking into account the following;
 - The need for an independent advocate
 - Communication and language needs
 - Mobility
 - Duties under the Equality Act
 - Decision-making capacity and the Mental Capacity Act (see [MCA guidance](#))
 - What information you already have;
 - What the allegation or concern is
 - Who the source of this information is – separate out facts, evidence, and opinions
 - What you need to know more about;
 - Who has this information
 - What expert or specialist input and knowledge you will need

- What checks you need to carry out
 - Who you will need to see
 - What documents or other evidence you will need
- Who will support you in the Enquiry process? You may carry out some tasks alone (checking through reports or files), but during all interviews and meetings you should have the support of another person. This person can be from the Police, Health, or a voluntary organisation as well as a Local Authority colleague if available.

2.1.3. The information gathered during Enquiry should help the Case Conference to assess current and future risk to the adult, and to decide how best to manage these risks.

3. Recording

- 3.1. Information gathered will be used to inform protection plan actions. It can also inform a range of legal and other evidence-based processes listed above. It is important that you clearly record information and actions. Consider your organisational recording policy and the Investigator's report template in this guidance.
- 3.2. After taking statements and recording interviews, ask interviewees to sign or otherwise confirm that your record accurately reflects the interview. Unless it has already been established that abuse has taken place, and who the perpetrator is, use terms such as 'alleged victim' and 'alleged perpetrator'.
- 3.3. Recording should always distinguish between facts, opinions, and feelings. Use clear and unambiguous language. Description, rather than speculation, helps to avoid others reading the report from making inaccurate assumptions. Direct quotes can often be more useful than summarising.

4. Using a Chronology

- 4.1. Compiling a chronology may help in providing an overview of significant events. A significant event is any incident that impacts on the adult's safety, welfare, or care arrangements. Professional judgement will be required to decide on the relevance for a particular event, based upon the adult's individual circumstances. A chronology is a factual document, so should not include opinions or analysis. Chronologies can help identify emerging patterns and themes, and can identify the effectiveness and weaknesses of previous intervention. In this way, the significance of single factors can be assessed in a wider context. This enables practitioners to gain a more accurate picture of the whole case and highlight gaps and missing details that require further assessment and identification. This can be a useful tool when planning an Enquiry or presenting information to a Case conference.

5. Conducting Interviews

5.1. The adult with care and support needs, and the alleged perpetrator and witnesses may all need interviewing, except from where this would increase risk. You will need to consider issues of capacity and any communication difficulties, or need for support/advocates. Ensure your intervention does not impede a Police investigation.

5.2. The 'PEACE' model of interviewing represents one model of practice. It is used nationally by the Police but is detailed here only as one suggestion of how to gather information effectively. The Practitioner will need to consider whether a different format should be used, dependent upon the person's needs and abilities.

- **P**lanning and **P**reparation
 - **E**ngage and **E**xplain
 - **A**ccount
 - **C**larification, **C**hecking, and **C**losure
 - **E**valuation
- **Planning and Preparation:** Put together a summary of incidents or concerns, then read this back. What are your initial thoughts/observations? These will provide a guideline for framing questions. Take one area at a time and develop questions. List the facts and information you need to obtain from the interviewee. Write each question as you intend to ask it, using simple sentence construction and avoiding jargon. Consider where you will need to conduct interviews. An office environment will be too intimidating for a adult with care and support needs, but appropriate when interviewing a member of staff. The order of interviews is also important. The alleged perpetrator should be interviewed last, to enable you to compare their account to those of others.
 - **Engage and Explain:** At the start of any interview, take the time to put the interviewee at their ease by discussing neutral topics. Introduce yourself and those present. Explain the purpose of the interview, and how it will be recorded. Clarify expectations; e.g. need for detail, but if the interviewee cannot remember, then they must say so, rather than trying to guess.
 - **Account:** At this stage of the interview, hand over control to the interviewee. Allow the interviewee to talk. Do not interrupt unless it is necessary to regulate the flow of information. Useful questions to prompt the interviewee's account include:
 - 'Tell me...'
 - 'Explain...'
 - 'Describe'...

Remind the interviewee that as you were not there, all details are important. During their account, information disclosed may prompt further questions. Note these down until the person has finished their account.

- **Clarification / Checking / Closure:** Use a ‘funnelling’ approach to introduce questions. This means moving through open questions onto more specific and, finally, comparative or closed questions. When closing the interview, remember to thank the interviewee for their time. Ask if there is anything else they wish to add or clarify in their account. Explain what will happen next in the Safeguarding Adults process, and answer any questions they may have.
- **Evaluation:** The information obtained through the interview will feed into the Safeguarding Adults process. Consider the following questions to help evaluate the outcome of the interview:
 - Have I covered all of the interviewee’s account with questions?
 - What do I now know? Does this raise more areas for Enquiry/require further interviews?
 - Are there any actions I now need to take?
 - Do I need to inform anyone about the interviewee’s statement?
 - Remember; a Safeguarding Adults Enquiry is not a criminal Enquiry
 - Where you suspect criminality, you must confirm with Police what can/cannot be investigated. If you uncover potential criminality at any stage during Enquiry, stop and refer again to Police.

6. Writing the Report

6.1. Map out your Enquiry:

- Collate the evidence
- Evaluate the evidence
- Compile your report to enable decisions to be made

6.2. Your report does not have to be long or complicated, just clear and to the point, describing what your Enquiry has covered, and reviewing the evidence in an objective way. This guidance can help in planning an Enquiry and/or compiling an Enquiry report.

6.3. The completed report must be shared with the Responsible Manager and the Safeguarding Meeting Chair before the Safeguarding meeting. It can then be shared with others involved in the process, and used to inform the Safeguarding Strategy Review meeting or Case Conference. You will be expected to give a brief verbal introduction and summary of the report at the meeting.