



**Newcastle Safeguarding Adults Board
&
Newcastle Safeguarding Children Partnership**

Safeguarding Transition Protocol

June 2024

1. Introduction

This protocol sets out the arrangements for young people aged 17.5 years and above¹, whose circumstances may mean that safeguarding adults procedures would apply when they are 18. This would be young people who would meet the definition of an adult at risk when they turn 18 i.e., they:

- Have needs for care and support (whether or not those needs are being met); and
- are experiencing, or are at risk of, abuse or neglect; and
- as a result of those needs are unable to protect themselves against the abuse or neglect or the risk of it.

(Care Act, 2014)

The provisions in the Care Act relating to transition to adult care and support² are not only for those who are already receiving children's services, but for anyone who is likely to have needs for adult care and support after turning 18.

That a young person or carer is 'likely to have needs' means they have any likely appearance of any need for care and support as an adult – not just those needs that will be deemed eligible under the adult statute. It is highly likely that young people and carers who are in receipt of children's services would be 'likely to have needs'.

The Care and Support Statutory Guidance (2014) states that people "should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered". Abuse could be physical, financial, emotional, sexual or neglect. It also includes domestic abuse, organisational abuse, modern slavery, discriminatory and self-neglect.

This protocol outlines the transition arrangements between the Newcastle Safeguarding Children Partnership (NSCP) safeguarding policy and procedures and the Newcastle Safeguarding Adults Board (NSAB) safeguarding policy and procedures.

The protocol is based on the following principles:

- Early and open communication between adults and children's services.

¹ If it would be in the best interests of the young person to begin transition prior to 17.5 years this can be considered.

² [Chapter 16, Care and Support Statutory Guidance](#)

- Flexible and pragmatic responses that focus on the best interests of the young person.
- A needs-led, personalised approach.

2. Procedure

If you have concerns regarding a child/young person (aged under 18) who is at risk of harm then you should first consult [NSCP Safeguarding policy and procedures](#) and make a referral to Children's Social Care. This is because Children's Social Care are responsible for the safeguarding, care and support of the young person until they turn 18. This could result in any of the following processes/meetings being undertaken as deemed appropriate:

- Recommendation of Early Help Support
- Recommendation of a Child & Family Assessment to explore the support needs of the family.
- [Child Protection Strategy Discussion/Meeting which could lead to a Child Protection Enquiry being undertaken.](#)

If the young person is subject to one of the above meetings/ processes and is aged 17.5 years or over, a Safeguarding Adults Manager from the Safeguarding Adults Unit should be consulted and/or invited to any meetings, which might be taking place under safeguarding children arrangements (please call 0191 2788156 to discuss). A Safeguarding Adults Manager from the Safeguarding Adults Unit would always take the lead on coordinating safeguarding adults enquiries involving a child approaching their 18th birthday, even if that child was open to an Adult Social Work team as part of other transitional plans or arrangements.

Where it is felt that safeguarding adults procedures are appropriate, Children's Social Care will be required to complete a [safeguarding adults referral](#).

A Safeguarding Adults Manager has the responsibility to make the decision to implement the Safeguarding Adults procedures or not.

On receipt of a safeguarding adults referral for someone aged under 18, the Safeguarding Adults Manager should consider the following when deciding whether it is appropriate to commence a safeguarding adults enquiry:

- Is the young person likely to have any need for care and support after they turn 18? This is not just needs deemed eligible under the adult statute.
- Are they currently experiencing or at risk of abuse/neglect and is this likely to continue/recur after they turn 18?
- What is the young person's (or their representative's) views about the concern and what would they like to happen?

If a decision is made that a safeguarding adults enquiry should begin in advance of the person's 18th birthday, it is expected that the enquiry will remain ongoing throughout the transition period to enable communication and information sharing. This process will run concurrently with Children's Social Care's response as detailed previously.

If a safeguarding adults strategy meeting is required, this should be held no later than one month prior to the young person's 18th birthday, where this is possible. It will be essential that services who are working with (or that did work with) the young person attend this initial safeguarding adults meeting. Consideration will need to be given as to how the young person (or their representative) will be involved in the safeguarding adults meeting and whether they will need any support.

From this point onwards, safeguarding adult's procedures will continue as per the multi-agency policy and procedure.

Note:

The Care Act (2014) states that where someone is aged 18 years and over and a safeguarding issue is raised, the matter must be dealt with as a matter of course under safeguarding adults procedures. For example, a 19-year-old receiving a service from a children's/young people's service who is identified as being at risk of harm - a Safeguarding Adults referral must be raised and multi-agency procedures followed. It would not be appropriate for this to be dealt with under Safeguarding Children procedures. In these circumstances, the Care Act (2014) states that the level of needs is not relevant, and the young adult does not need to have eligible needs for care and support under the Care Act or be receiving any particular service from the local authority, in order for the safeguarding duties to apply as long as the adult at risk criteria (in Section 1 above) are met.

3. Mental Capacity

If there is need to consider the mental capacity of a young person to make a decision and they are aged 16 years and over then a capacity assessment under the Mental Capacity Act (MCA) 2005 must be considered for each specific decision. It is important to remember that mental capacity can be affected by the abusive situation the person is in and by any threats or coercion.

Advice on the MCA can be given by the Safeguarding Adults Unit (01912788156). Where there is a concern about mental capacity, this must be recorded. Most agencies have forms/templates for capacity assessments.

4. Representation and support for the young person

Young people should be informed about and involved in safeguarding procedures, decisions, concerns and plans unless doing so would place them or others at risk.

Consideration should be given to whether the young person needs support to be involved. This might be through an appropriate representative (e.g. a family member, friend or supporter) or an advocate.

The Local Authority has a statutory duty to provide advocacy for those aged over 18 who:

- do not have an appropriate representative; and
- would have a substantial difficulty in participating in a safeguarding adults enquiry themselves.

5. Children with complex needs

If the young person has already been identified as having complex needs (e.g. they have a learning or physical disability) then they will be considered at a transition meeting between Children's Social Care and Adult Social Care (these meetings are monthly). Any concerns about the abuse or the risk of abuse of individual young people will be shared at one of these transition meetings.

If safeguarding concerns are identified as part of an adult needs assessment which has commenced prior to the child's 18th birthday, there should be consultation with the Safeguarding Adults Unit about whether instigation of safeguarding adult's procedures is required.

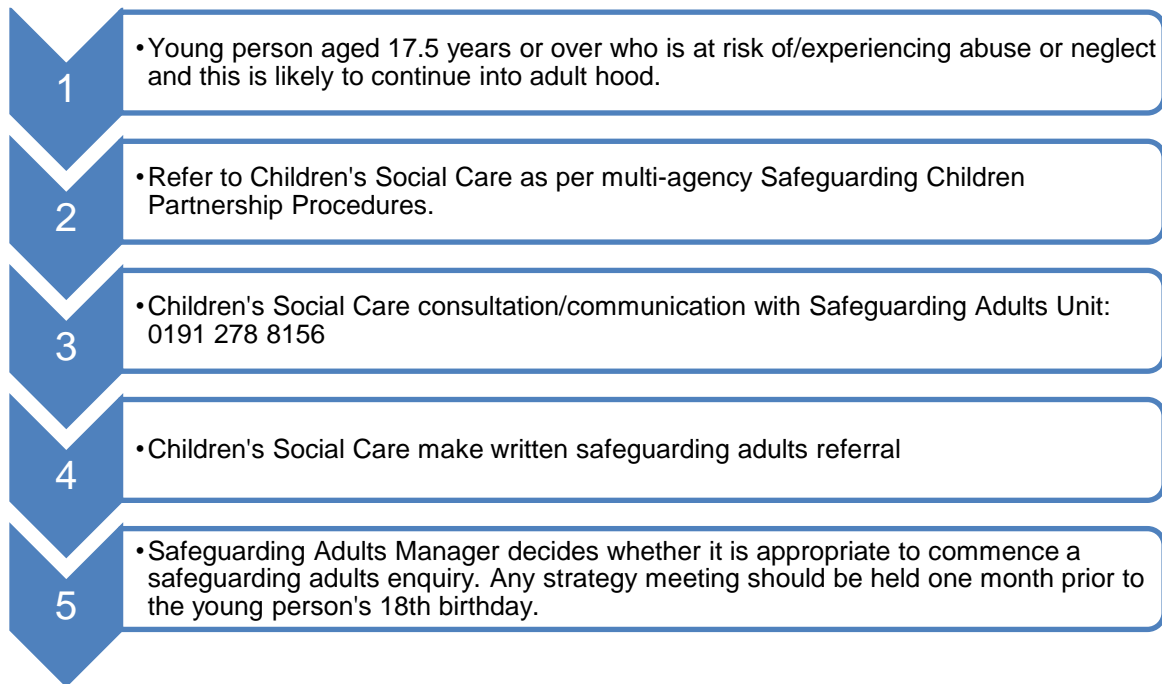
Consultation can be undertaken by the Adult Social Worker undertaking the assessment or Children's Social Care, whoever is best placed.

6. Young people who may pose a risk to others

Where there is a concern about a young person who is aged 17.5 years and above posing a risk to others, information about this risk should be shared appropriately with professionals who may work with the young person when they reach adulthood. Multi-agency forums where these issues may be discussed are:

- **Transition meeting.** Any risks the young person may pose to others should be discussed at the monthly transition meetings between the Children with Disabilities and Adult Social Care Learning Disability and Autism Teams. This will include the AIM (Assessment, Intervention, Moving On) risk assessment, current care plan, chronology and the concerns regarding risk of abuse to others.
- **Multi-Agency Public Protection Arrangements (MAPPA) and Potentially Dangerous Person (PDP) procedures.** MAPPA is for offenders assessed as posing a high or very high risk of causing serious harm and where the risk posed requires management at a senior level through a multi-agency collaboration. Referral into PDP occurs when person who is not eligible for management under MAPPA but whose behaviour gives reasonable grounds for believing that there is a present likelihood of them committing an offence or offences that will cause serious harm'
- **Multi-Agency Risk Assessment Conference (MARAC).** MARAC is for high-risk victims of domestic violence and includes people aged 16 and over.
- **Safeguarding adults or children's procedures.** Where the risk posed is to other children or adults at risk. This includes where the child or adult may pose a risk to themselves e.g. self-neglect.
- **Child to Parent Violence and Abuse (CPVA).** Where a child (aged 10-18) carries out a harmful act/behaviour whether physical, psychological, emotional or financial towards a parent, guardian or carer. Refer to the [North and South of Tyne Safeguarding Children Partnership Procedures Manual](#) for more information.

7. Flowchart



8. Further information/resources

- [NSAB Multi-agency Safeguarding Adults Policy and Procedures](#)
- [North and South of Tyne Safeguarding Children Partnership Procedures Manual](#)
- [Bridging the Gap: Transitional Safeguarding and the Role of Social Work with Adults](#)
- [Newcastle Safeguarding website](#)