



Safeguarding Transitions Protocol

for practitioners working with children and adults with needs for care and support



**Gateshead
Safeguarding Adults
Board**



**GATESHEAD
safeguarding
children
partnership**



**Gateshead
Council**



**North East and
North Cumbria**

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1. INTRODUCTION

This protocol sets out the arrangements for young people aged 17 years and above, whose circumstances may mean that safeguarding adults' procedures would apply when they turn 18 and who are not covered within the [Transitional Safeguarding Guidance \(Ages and Stages\)](#). This would be young people who would meet the definition of an 'adult at risk' when they turn 18.

Definition of an adult at risk under the Care Act 2014:

"An adult at risk is any person who is aged 18 years or over and at risk of abuse or neglect because of their needs for care and or support. Where someone is over 18 but still receiving children's services and a safeguarding issue is raised, the matter should be dealt with as a matter of course by the adult safeguarding team."

The aim of the protocol is to promote robust transitional arrangements and ensure effective and timely referrals between Children's and Adult Services in Gateshead. It recognises that harm is likely to continue post 18, and that abusers target vulnerability irrespective of age.

[Bridging the gap: Transitional Safeguarding and the Role of Adult Social Workers](#) states that Transitional Safeguarding is an "approach to safeguarding adolescents and young adults fluidly across developmental stages which builds on the best available evidence, learns from both children's and adult safeguarding practice and which prepares young people for their adult lives. It focuses on safeguarding young people from adolescence into adulthood, recognising transition is a journey not an event, and every young person will experience this journey differently.

Transition to adulthood can be a particularly challenging and vulnerable time for some young people. Learning from Safeguarding Adult Reviews and Serious Case/Child Safeguarding Practice Reviews has highlighted how ineffective transitional planning can contribute to young adults 'slipping through the net' or facing a 'cliff edge', often with tragic consequences.¹

It is vital to share information between services in a proportionate and timely way² so that young people approaching 18 receive access to guidance, information, and advice that they will need as adults. The young person should be fully involved in decisions about information sharing. **It is important to note that transition into adulthood is a partnership and not only a social care issue. Multi agency partners need to be involved and support this work.**

Young people experiencing (or who have experienced) abuse or harm may often require ongoing support beyond the age of 18. This may be because the harm continues into adulthood or because they need support to recover from the impact of harm and/or trauma. Research has demonstrated that unresolved trauma can increase risks later in adulthood. It is also evidenced that not responding to harm in early adulthood may lead to more extensive support being required later in life.

There are several reasons why a transitional safeguarding approach is needed. It is recognised that adolescents may experience a range of distinct risks and harms, and therefore may require a distinctive safeguarding response. **Harm and its effects do not stop at the age of 18** and many of the factors that

¹ Holmes D & Smale E. (2018). *Transitional safeguarding - adolescence to adulthood: Strategic Briefing (2018)*. Dartington: Research in Practice.

² See: [Information Sharing Protocol](#) (for practitioners working with children and adults with needs for care and support)

increase a child's vulnerability persist into adulthood, often resulting in unmet needs and costly later interventions. It is also acknowledged that Children's and Adults' safeguarding systems are conceptually and procedurally different, and are governed by different statutory frameworks, which can make the transition to adulthood difficult for young people facing ongoing risk. This can be exacerbated by the notable differences between thresholds and the eligibility criteria of Children's and Adults' safeguarding.

There needs to be a common culture and understanding across children's and adults, which includes the use of language.

In recent years, the complexities of safeguarding children and adults have become increasingly challenging practice with an increased focus on criminal and sexual exploitation requiring services to adapt in how they safeguard young people and adults. Key to this is aligning safeguarding systems and services for children and adults, to ensure they are more fluid and responsive to the changing needs of adolescents and young adults. Understanding adolescence as a distinct development phase and recognising the impact of trauma are fundamental to supporting transitions. There is a need for close collaboration between Safeguarding Children Partnerships and Safeguarding Adults Boards and for very early communication with and involvement from Adults Services.

NICE guidance³ sets out some overarching principles to consider when supporting young people through any transition from children to adult's services. A recently published Transitional Safeguarding briefing⁴ focuses on sexual and criminal exploitation and is designed with a particular focus on social work with adults. This briefing draws upon best practice, research, and knowledge from the local area, and provides key information to improve adult social work professional knowledge and skills in working with young people transitioning to adulthood.

The key principles of a Transitional Safeguarding approach are that it is:

- **Evidence-informed;**
- **Contextual** - moving beyond a child and their family, and considering the wider systems, contexts and spaces in which a young person experiences harm and safety issues; including sexual exploitation outside of the family, relationship abuse and domestic abuse;
- **Developmental** - understanding the distinct developmental needs and strengths of this life stage and creating services and pathways that reflect the individualised nature of transition to adulthood. It encourages greater fluidity between children and adult safeguarding processes and requires an active effort to align systems to create a smoother more holistic offer for people being supported;
- **Relational** - being person-centred;
- **Participative;** and
- **That it attends to issues of equalities, diversity and inclusion.**

³ Transition from children's to adults' services for young people using health or social care services. NICE guideline (NG43) 24 February 2016

⁴ Bridging the Gap: Transitional Safeguarding and the role of social work with adults. DHSC, Research in Practice, LGA, BASW, ADASS, NWG. 3 June 2021

2. Purpose

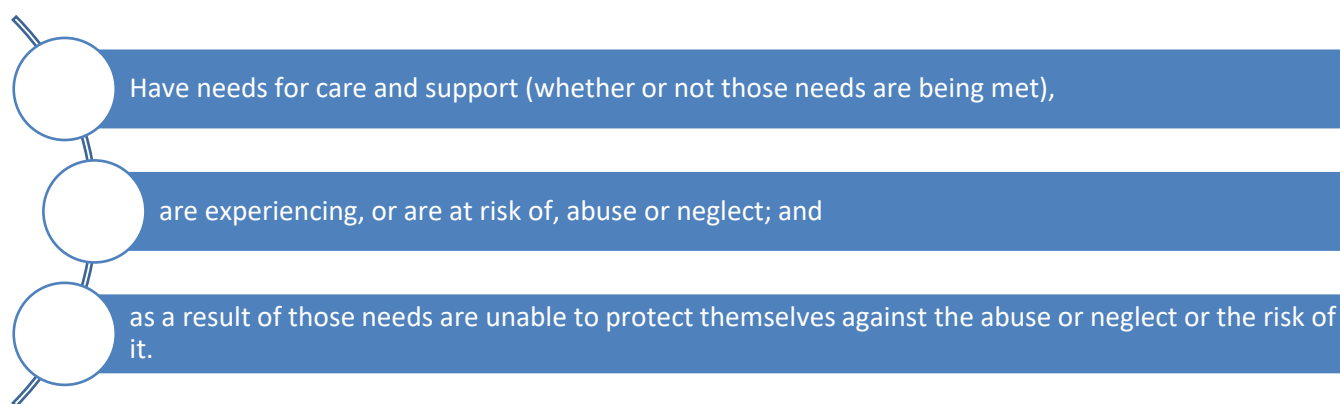
The purpose of this protocol is to:

Provide clear referral guidance to use in those situations where it may not be clear which Safeguarding Procedures (Adults or Children's) apply.

Ensure effective and timely referrals are made between Children's and Adult services.

Develop and improve joint working practices across all services.

Safeguarding adult's arrangements apply to adults age 18 or over whom⁵:



Further information can be found in the [Gateshead Safeguarding Adults Board Multi-Agency policies and procedures](#).

The Care and Support Statutory Guidance⁶ 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 abuse and self-neglect.

Under Safeguarding Adult Procedures, an adult requiring a safeguarding response does not need to meet the adult social care financial eligibility threshold. Those who self-fund their care and those receiving individual budgets or direct payments, have the right to be safeguarded and protected under the Safeguarding Adult Procedures.

This is a collaborative protocol which outlines the transition arrangements supported and overseen by the Gateshead Safeguarding Children Partnership (GSCP) and Safeguarding Adults Board (GSAB). This should be read in conjunction with any specific protocols and procedures relevant to the circumstances. These are available from the following:

- [Gateshead Safeguarding Children Partnership – North and South of Tyne Safeguarding Children Partnership Procedures](#)
- [Gateshead Safeguarding Adults Board - Multi-Agency Policy and Procedures](#)

⁵ As defined by [Care Act, 2014](#)

⁶ [Section 14.17: Care and support statutory guidance \(updated 2 November 2022\)](#)

3. Guidance Notes

- If you have concerns regarding a young person (aged under 18) who is at risk of harm, exploitation or abuse, a referral should be made to Children’s Social Care via online portal - See: [Report concerns about a child](#) for further details.

Children’s Social Care can work with young people under several safeguarding frameworks that include:



- If you are worried about a young person over the age of 18 who has the appearance of care and support needs regardless of whether those needs are being met, regardless of whether the adult lacks mental capacity or not, and regardless of setting then you should raise an adult safeguarding concern if you believe they are at risk of or being abused or neglected.
- In accordance with the Care Act (2014) where someone is aged 18 years and over and a safeguarding concern is raised, this must be dealt with as a matter of law under Safeguarding Adults procedures. For example, where a 19-year-old receiving a service from a children’s/young people’s service 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.
- It is important to note that learning from SARs, SCR/CSPRs and research has highlighted the inflexibility of current Children’s and Adult safeguarding systems, and the markedly different approaches and thresholds for access to services. There may be a need to apply some discretion and adapt our systems and responses depending upon the needs and circumstances of the young person. The key to this is early communication and negotiation between Children’s and Adult Services to ensure young people receive a flexible and coordinated response to their needs and avoid experiencing a “cliff-edge” support.
- Making Safeguarding Personal is a central focus of Safeguarding Adults, with an emphasis on person-led support, risk enablement and choice and control. It is important that young adults are fully involved in safeguarding adult’s decisions and activity, unless there are concerns regarding their mental capacity, or where there may be risks to others.
- Where a young person is at risk of or is being exploited, transition planning should start as soon as possible. This is particularly important for young people who may have limited eligibility for adult services or may face other challenges such as moving from one Local Authority area to another. Consideration should be given as to how information should be shared effectively with other relevant professionals to ensure the young person experiences a seamless transition that supports them to reduce their risk of exploitation.

Advice on Safeguarding Adults procedures can be sought from Adult Social Care Direct:

- Tel: 0191 433 7033
- [General Enquiries](#)

4. Mental Capacity

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

A mental capacity assessment must be carried out whenever:



There are doubts about the ability of any person from the age of 16 to make a particular decision at a particular time; and



There is a belief that the reason the person may be unable to make their own decision is because of, an impairment of, or a disturbance in the functioning of the mind or brain.

Under the Act, mental capacity is both, 'decision specific' and 'time specific'. This means that the principles of the Act must be applied each time that a decision needs to be made.

Where there is a concern about mental capacity, this must be recorded. Capacity and consent also need to be considered in the context of control and coercion, which is central to all forms of exploitation.

If a young person is assessed as lacking capacity, then decisions can be made on their behalf using the principle that the decision made must be in the young person's Best Interests as set out in the Act.

For more information see [The Mental Capacity Act \(2005\) Resource and Toolkit and Practice Toolkit](#). Advice on MCA can be sought from Adult Social Care and/or the Safeguarding Adults Team.

5. Young people transitioning from Children's to Adult Social Care who have identified needs under the Care Act

The [Gateshead Transitions Policy for Children's and Adults Social Care](#) supports the systematic and consistent delivery of positive 'outcomes' for young people in transition in Gateshead. It provides an operational framework for both children's and adults social care workers who are working with children and young people who may be eligible for adult social care. This policy outlines the key elements of transitions work and the responsibilities of both Children's and Adults Social Work Teams in planning the transition to adult services.

This framework includes Joint Managers meetings between Children Social Care, Children with Disabilities and Transitions Team. These Joint Meetings involve Assistant Team Manager within Transitions Team, Team Manager's within the Children in Our Care Team, and Team Manager for Disabled Children's Team, as outlined within the Ages and Stages document referrals can be made for young people who are identified to possibly meet the criteria from their 14th Birthday. These are children and young people who may need some form of support post 18 in line with the Care Act criteria. These meetings provide an opportunity to identify the most appropriate pathway for the young person post 18, facilitate joint working, and ensure appropriate referrals and signposting take place in a timely manner.

The MSET (Missing, Slavery, Exploitation and Trafficking) process also provides added value to existing Children's Safeguarding frameworks. Young people discussed in the MSET Operational Group may have a parallel Child in Need or Child Protection plan already in place. Where there is a concern about a young person who is aged 17 or above, an adult safeguarding representative will be invited to attend the MSET Panel. They will take responsibility for making a Safeguarding Adults referral based on information shared in the MSET meeting which they will discuss with the Safeguarding Adults Manager for progression.

If any concerns about the abuse or risk of abuse of individual young people are identified during this process a Safeguarding Adults referral should be made.

6. Young people who may pose a risk to others

Where there is a concern about a young person who is aged 17 years and above posing a risk to others, information should be shared appropriately with professionals and agencies who may work with the young person when they reach adulthood.

Multi-agency forums where these issues may be discussed include:

Multi-Agency Public Protection Arrangements (MAPPA)

- MAPPA considers 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.

Potentially Dangerous Person (PDP) Protocol

- 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 considers high risks victims of domestic violence, and includes perpetrators aged 16 and over.

Channel Panel

- Channel is a process to identify a person who would benefit from early intervention and support away from the threat of radicalisation.
- The focus is on identifying those at risk, assessing the nature and extent of the risks, and identifying the most appropriate support plan. This includes children and adults.

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.

If it is felt that none of the above applies, then a multi-agency risk management meeting should be considered. The need to refer into the statutory processes should be revisited should further information suggest they would apply.

7. Further suggested reading

- [Mind the Gap: Transitional Safeguarding – Adolescence to Adulthood](#) - Holmes, D. and Smale, E. (2018)
- [Bridging the Gap: Transitional Safeguarding and the role of social work with adults](#). DHSC, Research in Practice, LGA, BASW, ADASS, NWG.
- NICE guidelines - [Transition from children to adults' services for young people using health or social care services](#)
- Gateshead Safeguarding Adults Board and Gateshead Safeguarding Children's Partnership [Transitional Safeguarding 7 Minute Guide](#)