

Safeguarding Children as they become Adults

Guidance

April 2015

1. Scope of this guidance

- 1.1 This guidance applies to young people approaching the age of 18 who are the subject of child protection plans or high level child in need plans who would not be supported through other transition processes (i.e. it does not apply to Looked After Children or children with Complex or Additional Needs or SEN as there are separate transition processes for these young people. This guidance applies to young people at risk who are approaching their 18th birthday and will cease to be supported through Children's services.

2. Background

- 2.1 Young people under 18 years old at risk of significant harm receive a package of multi agency support in order to keep them safe known as a Child Protection Plan or a high level Child in Need Plan which is coordinated by a Children's Services Social Worker.
- 2.2 Young people at risk or with safeguarding issues in their lives should be appropriately supported into adult life, this does not always mean they will receive a service from an Adult based agency. The correct approach may be to support the young person towards independence and knowing where to access the right advice and support themselves as they become adults.
- 2.3 Adult Safeguarding Procedures apply to adults over 18 years of age who may be in need of community services by reason of mental or other disability, age or illness, and may be unable to take care of themselves or unable to protect themselves against significant harm or exploitation.
- 2.4 It is vital to share information between services in a proportionate and timely way so that the young person approaching 18 receives the access to guidance, information and advice they will need as an adult. The young person should be involved in the decisions around information sharing.
- 2.5 The safeguarding adult principles (Department of Health, 2011) will be central to the way that transition is managed:
- **Empowerment:** *I am consulted about the outcomes I want from the safeguarding process and these directly inform what happens*
 - **Protection:** *I am provided with help and support to report abuse. I am supported to take part in the safeguarding process to the extent to which I want to do so and to which I am able*

- **Prevention:** *I am provided with easily understood information about what abuse is, how to recognise the signs and what I can do to seek help*
- **Proportionality:** *I am confident that the responses to risk will take into account my preferred outcomes or best interests*
- **Partnership:** *I am confident that information will be appropriately shared in a way that takes into account its personal and sensitive nature. I am confident that agencies will work together to find the most effective responses for my own situation*
- **Accountability:** *I am clear about the roles and responsibilities of all those involved in the solution to the problem*

3. Key principles

- 3.1 If a young person is the subject of a child protection plan or similar process at the point of their 17th Birthday then the key worker (children's social worker if they are the subject of a child protection or child in need plan) should ensure that a dialogue happens with Adult Services to ask for guidance and information about what support or approaches could be taken to support the young person as they move into adult life and are becoming more independent.
- 3.2 From the age of 17, supporting the young person into adult life should become part of the standing agenda for review child protection conferences (RCPC), core groups, child in need meetings and SEAM (Sexual Exploitation and Missing) Panel. Where appropriate or helpful, a representative from Adult Services should attend the relevant meeting to help with the discussion and ensure the right advice is given. The Child Protection Plan (or equivalent) should be updated to include specific actions that support transition into adult life.
- 3.3 Transition should be carried out in partnership with the young person so that they are fully engaged in decision making.
- 3.4 Where it is agreed that a young person will transfer to receiving support from Adult Services then a lead professional should be appointed to support the transition process.
- 3.4 Information must be provided and in an appropriate format to help young people understand the information provided, and communication tools should be deployed to facilitate this where needed.
- 3.5 Some young people experience difficulty when involved in transition to adult life; therefore consideration must be given to their cognitive and physical development, their emotional maturity and their health needs. Consideration should be given to the need for the young person to access an advocate if appropriate.
- 3.6 Progress with the transition process must be documented within the minutes of the multi-agency meetings and core groups; with details about referral, eligibility decisions, key worker details, meeting the young person, attention to capacity and consent, and future protection plans.

3.7 Whether or not the adult is in receipt of any services at the end of transition planning, their General Practitioner should be copied into the minutes of the last meeting so that they are fully briefed of the situation.

4. Special circumstances

4.1 It is important to consider capacity and consent issues outlined in the Mental Capacity Act (2005) to ensure that there are no breaches of the young person's human rights. Where there is intellectual impairment or there are concerns that the young person has capacity but they are unable to make an informed decision due to duress, consideration should be given to the principle of inherent jurisdiction. The high courts can intervene to protect vulnerable adults when such concerns arise, and legal advice should be sought if necessary.

4.2 If a young person lacks capacity to make a particular decision we must ensure that decisions are made in their best interests and are compliant with the Mental Capacity Act (2005). The core group must consider if Deprivation of Liberty Safeguards will apply once the young person reaches 18, and take appropriate steps to ensure that plans are consistent with the Mental Capacity Act directives.

References

Department of Health (2005) The Mental Capacity Act. HMSO. London.

Department of Health (2011) Safeguarding adults: The role of Health Service Practitioners. HMSO. London.

Review:

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