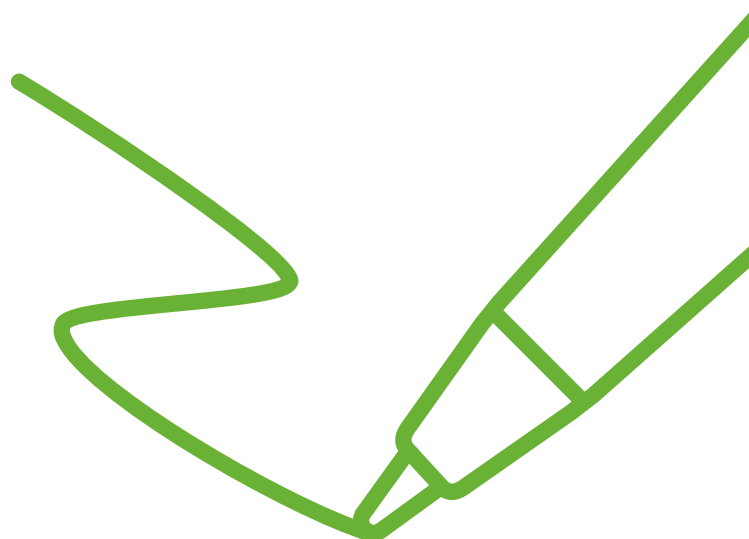




The Care Act: Care and support statutory guidance

Guidance for staff on the safeguarding
responsibilities outlined in the Care Act
2014

Here's some extra help – if you need it.



Introduction

This guidance has been produced for staff, with the intention of summarising and clarifying safeguarding responsibilities as defined in [the Care Act 2014](#) and the [Care and support statutory guidance \(2025\)](#).

This document should be read alongside those documents, which outline the law relating to care and support for adults, as well as support for carers. They include information and guidance on provisions to protect adults from abuse or neglect; care standards; and the integration of care and support with health services.

This summary guidance will focus specifically on the guidance relating to safeguarding in the context of the Care Act (specifically sections 42 to 46 of the Care Act 2014).

Your responsibilities

The [Care and support statutory guidance \(2025\)](#) outlines the core purpose of adult care and support as being “to help people to achieve the outcomes that matter to them in their life” (section 1.1).

In light of this, the guidance sets out the responsibilities of both the local authority, and their partner organisations, in performing their care and support duties. The intention of the Act is for you to promote wellbeing, including in relation to:

- personal dignity, including treating adults with respect;
- promoting physical and mental health;
- protecting adults from abuse and neglect;
- provision of care and support for day-to-day life;
- participation in work, education, training, and hobbies;
- social and economic wellbeing;
- supporting positive personal relationships;
- supporting access to suitable living accommodation;
- and enabling adults to make a positive contribution to society.

How you achieve these aims may be different for each individual, depending on their needs and desired outcomes. This means that you will need to have a flexible approach to working with adults in your care.

What are care and support needs?

To provide support to adults within the Care Act, they should meet the eligibility criteria for determining care and support needs. The process for determining eligibility is detailed below¹.

Needs

The adult has needs which are related to either a physical or mental impairment or illness.

Outcomes

As a result of their needs, the adult is unable to achieve at least two of the following:

- managing their own nutrition;
- maintaining their personal hygiene;
- managing their own toileting needs;
- keeping themselves dressed appropriately;
- keeping a clean and safe home (a habitable home);
- moving around their home safely;
- maintaining positive personal relationships;
- engaging in work, training, education, or volunteering;
- engaging with their community, including using public transport or other facilities;
- caring for any children they have.

Wellbeing

As a result of the above, there is a significant impact on the adult's wellbeing. This could be in any of the areas of wellbeing listed on page 2 of this guidance.

The assessment is carried out by the local authority, but other organisations can [refer an adult to the local authority for an assessment](#) if they are concerned that their needs aren't being met. The assessment will identify the level of care and support needs and will make suggestions for how services can meet the adult's needs moving forwards.

If the adult is being cared for by another adult (in an unpaid capacity), who may have their own needs for support, the local authority will carry out a carer's assessment. This should identify how practical and sustainable it is for the carer to continue supporting the adult.

¹ *Care and support statutory guidance* (2025) section 6.100

What does the Care Act say about safeguarding?

Safeguarding duties within the Care Act apply to adults who have care and support needs; are experiencing or at risk of abuse or neglect; and as a result of those care and support needs, are unable to protect themselves from abuse and neglect.

Whilst the local authority leads on safeguarding, other organisations also have a legal duty in relation to safeguarding the adults that they work with. This is why it's important that you're aware of your responsibilities according to the Care Act.

What is adult safeguarding?

Adult safeguarding means protecting an adult's right to live in safety and free from abuse and neglect. The process of adult safeguarding is designed to support organisations to work together to prevent, identify, and respond to stop the abuse and neglect of adults.

To do this, it's important that you:

- understand your responsibilities for adult safeguarding;
- have a multi-agency approach to adult safeguarding;
- are open to learning and changing your practice, particularly when learning is identified as a result of a Safeguarding Adults Review (SAR);
- help to promote adult safeguarding, including through distribution of resources;
- understand how to report and respond to concerns of abuse and neglect.

The six principles of adult safeguarding

There are six principles that underpin all adult safeguarding work. These are:

- **Empowerment:** supporting adults to make their own decisions;
- **Prevention:** taking action before harm occurs;
- **Proportionality:** responding in a way that is least intrusive in line with the risk;
- **Protection:** supporting those who are most in need;
- **Partnership:** working with local services and communities;
- **Accountability:** being transparent about our role in adult safeguarding.

What are the categories of abuse and neglect?

The Care Act lists a number of different types of abuse and neglect that you should be aware of. It is not an exhaustive list but does cover a wide variety of concerns. These are:

- physical abuse
- domestic abuse and violence
- sexual abuse
- psychological abuse
- financial or material abuse
- modern slavery
- discriminatory abuse
- organisational abuse
- neglect and acts of omission
- self-neglect

It's important to realise that anybody can be a perpetrator of abuse or neglect. This includes partners and family members, neighbours, friends, paid staff, volunteers, or strangers. When you are working with adults you must remain open to spotting the signs of abuse and neglect. This will involve using your '[professional \(or concerned\) curiosity](#)'.

Reporting and responding to abuse and neglect

What does the Care Act say about reporting and responding to abuse and neglect?

The response to safeguarding concerns will be, in part, determined by the circumstances of the abuse. For example, where there is poor care or practice, there will need to be an employer-led disciplinary process, as well as possible health intervention and regulatory (for example, CQC) or commissioning input. Where there is abuse or neglect, you will also need to consider whether the matter needs to be referred to the police if there has been a criminal incident, as well as managed through safeguarding processes. In all cases, early information-sharing is the key to an effective safeguarding response.

The Care Act is clear that if you have concerns about abuse or neglect of an adult with care and support needs, you should [share this information with the local authority](#) and, if appropriate, with the police.

What is a safeguarding enquiry?

When the local authority receives your safeguarding referral, they will consider the information you have provided and decide whether it meets the criteria for a safeguarding concern. If your referral meets the criteria, the local authority will make further enquiries, or request that another organisation makes enquiries on their behalf.

The format of these enquiries can vary, from a conversation with the adult, to a formal multi-agency plan. In every case, though, the adult's views and wishes should be central to any actions taken.

If the adult lacks the capacity to make decisions for themselves a representative or advocate can be involved in the process. In this case, any decisions made should be in their best interests and proportionate to the level of risk.

Please note that a formal safeguarding enquiry is also often referred to as a section 42 enquiry, given it references the section of the Care Act on formal safeguarding enquiries.

