Factsheet 6

What is a Section 42 Safeguarding Case Conference?

February 2016
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What is a Section 42 Safeguarding Case Conference?

The Care Act 2014 (Section 42) requires that each local authority must make enquiries, or cause others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect. An enquiry should establish whether any action needs to be taken to prevent or stop abuse or neglect, and if so, by whom.

A Section 42 Safeguarding Case Conference meeting is held after an enquiry has been completed. It is chaired by a professional who has not been involved in the safeguarding enquiry. It meets to consider the following:

- The findings of the enquiry,
- Whether the adult continues to be at risk of harm or neglect, and
- The need for a Protection Plan to keep them safe

Sometimes a meeting is not needed. If this is the case, the Safeguarding Adults Manager will review the findings of the enquiry, and agree plans with the adult or their representative to keep the adult safe, making sure their views and wishes have been respected.

What decisions will the Case Conference Meeting make?

The Case Conference Meeting will consider what evidence has been found in the enquiry about the concern or allegation. Information about the enquiry will be shared with the adult.

The Case Conference Meeting will also consider whether the adult remains at risk of abuse or neglect and whether they need a Protection Plan. A Protection Plan records any arrangements that have been agreed with the adult, to keep them safe.

The purpose of a Case Conference meeting is:

- To ensure that the views, wishes and Best Interests of the adult have been central to the process.
- To make sure effective risk management arrangements are in place.
- To ensure allegations have been put to individuals alleged to have caused harm and they have been given an opportunity to respond.
- To consider what legal or statutory actions or redress may be needed.
- To identify any further actions and timescales.
- If appropriate, close the Enquiry.
If the adult does not wish to attend.

The meeting is about the adult, but they do not have to attend. It’s their choice. If they are worried about attending, they may wish to talk to the Safeguarding Adults Manager or the Independent Case Conference Chair. They will be able to talk to the adult about any concerns they may have.

If the adult decides not to come they may want to do one of the following instead:

- give their views in writing, or
- ask someone to attend on their behalf, for example an advocate, friend or family member, or
- ask the Safeguarding Enquiry Officer or Safeguarding Adults Manager to pass on their views

If the adult does wish to attend.

The adult can bring someone to support them at the meeting. This might be a family member, friend or an advocate.

The meeting is about the adult and their views are very important. The Chair of the meeting will make sure the adult’s views are heard and listened to by everyone else. The meeting will need to decide whether the Enquiry has found evidence of abuse or neglect. This will be a group decision and the adult’s views will form part of this decision.

A Protection Plan may be agreed - this is about how the adult wants to be supported to be safe. Decisions about the adult’s welfare or care will need to be agreed with them.

If the adult has been assessed as not having mental capacity to make a particular decision, then it will need to be made in their ‘best interests’. Their views, wishes, feelings and beliefs will be taken into account. Such decisions are made in line with Mental Capacity Act 2005.
Who else will be at the Case Conference Meeting?

There may be range of people at the meeting.
- The Independent Case Conference Chair
- The Safeguarding Adults Manager and the Safeguarding Enquiry Practitioner
- Professionals who have been involved in the Investigation, sometimes this may include the police or a health professional
- Care Quality Commission
- People who provide the adult with support or care
- A person recording the minutes of the meeting
- When an allegation has been made against another person then sometimes this person is also invited to the meeting. If this was being considered, the adult would be asked how they feel about this. This will only happen with their agreement.

Everyone attending the meeting will be sent the minutes of the meeting within two weeks. If anyone thinks anything has been recorded wrongly, they can ask the Independent Chair for amendments to be considered.

If anyone disagrees with the suggestions for the Protection Plan they can say so at the meeting. If anyone has concerns after the meeting, they can speak to the Safeguarding Adults Manager.

More details about Case Conferences can be found in the Rochdale Borough Safeguarding Adults Board Multi-Agency Policy and Procedures which can be downloaded from: www.rbsab.org

You can use this space to record relevant contact details:
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Other Information

This is one of a series of factsheets produced by the RBSAB. The factsheets available are:

**Factsheet 1:** What happens when abuse is reported – Information for adults

**Factsheet 2:** Safeguarding Adults – Information for family and friends

**Factsheet 3:** What are the stages of the Safeguarding process?

**Factsheet 4:** What is a Section 42 Safeguarding Enquiry?

**Factsheet 5:** What is a Strategy Meeting?

**Factsheet 6:** What is a case Conference?

**Factsheet 7:** Safeguarding Adult Reviews – Information for families

**Factsheet 8:** Information for a person alleged to have caused harm

All the factsheets are available at [www.rbsab.org](http://www.rbsab.org)

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Rochdale Borough Safeguarding Adults Board
is committed to Safeguarding Adults
and will continue to establish a society
where there is zero tolerance to adult abuse.