



## Transitional Safeguarding

### 1. Introduction

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'. (Holmes & Smale, 2018). It focuses on safeguarding young people from adolescence into adulthood, recognising that transition is a journey not an event, and that every young person will experience this journey differently. Multi-Agency Preparing for Adulthood (Transition) Protocol and Practice Guidance. [NEL-Preparing-for-Adulthood-Protocol-Sept-21-FINAL-all-services.pdf](#)

Bridging the Gap: Transitional Safeguarding and the Role of Social Work with Adults states that Transitional Safeguarding is not simply transition planning for people moving from children's to adult social care services. It is about activity that often falls outside of traditional notions of both 'transitions' and 'safeguarding', emphasising a needs-led, personalised approach. It requires practitioners, leaders and all involved in services for children and adults, to consider how they might work together and think beyond child/adult silos for the benefit of young people at a key life stage. Transitional Safeguarding aims to work with young people/adolescents and inform multi agency safeguarding practices across both Children's and Adults' Services. Transition, should be planned and initiated at the earliest opportunity.

Bridging the Gap: Transitional Safeguarding and the Role of Social Work with Adults  
[Bridging the gap: Transitional Safeguarding and the role of social work with adults](#)

Young people experience different risks from earlier childhood safeguarding issues. These risks are not necessarily from families, but may be from peers, partners, and risks from the wider and global community. Many of the environmental and structural factors that increase a young person's vulnerability continue into adulthood, which can result in unmet needs and costly later interventions.

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.

Bridging the Gap sets out that everyone involved in safeguarding adults – in strategic roles such as Safeguarding Adults Boards, commissioners and strategic managers, and in practice roles, such as social work supervisors and practitioners – have a valuable contribution to make to Transitional Safeguarding. Practical ideas include:

- Shared learning and development opportunities;
- Greater emphasis on co-design;
- Flexible commissioning frameworks;
- Improved local needs analysis; and
- Sharing examples of innovation across local areas.

## **2. Children's and Adult Services Working Together**

Children's and Adult's safeguarding professionals share a common aim of protecting young people from harm, but are governed by distinct practice, policy and statutory frameworks. For young people under 18, safeguarding duties are intended to protect all those at risk of harm. Adult safeguarding focuses on people with care and support needs who might find it more difficult to protect themselves from abuse or neglect because of those care and support needs.

Young adults can experience a 'cliff-edge' due to different thresholds for access to services. For example, adolescents entering adulthood may not meet adult mental health criteria, and young people with moderate special educational needs who received support while at school may not meet eligibility criteria for care and support from adults' services. Harm and their effects do not abruptly end at 18, and evidence from research and practice suggests that a more fluid approach is needed in order to help young people be safe during this transitional life stage. Transitional Safeguarding uses aspects from both adult and child approaches to offer more tailored support as a young person moves into adulthood.

Safeguarding Adults Boards (SABs) can provide valuable strategic leadership and oversight for Transitional Safeguarding activity. SABs are key to ensuring innovation is carefully planned, monitored and embedded across partner agencies. Partners such as the police, youth justice and the voluntary sector can identify need and services gaps in an area.

Safeguarding Children Partnerships working alongside Adult services can promote a more fluid safeguarding response.

### **3. The Importance of Developmental Milestones Rather Than Chronological Age**

Whilst turning 18 means that a young person legally becomes an adult overnight, the transition to adulthood is a process not an event – and this process differs from one person to another. Some young people over 18 might require additional support to be safe and well during this phase of their lives, even though they might not have formally defined care and support needs. Similarly, many young people under 18 could benefit from the highly personalised and rights-based safeguarding approach usually used with adults. There is a need to see the person holistically, rather than defining their needs, vulnerabilities or strengths according to eligibility or age.

Adolescence is the developmental transition to adulthood that includes rapid changes in the brain and body, often at different rates and should be a time for healthy exploration of identity and learning independence. It can often be a stressful or challenging time due to these rapid changes.

Chronological age is not always an indicator of a young person's abilities. For young people who have experienced trauma, neglect and abuse, the age of 18 may be meaningless in defining what a young person can do, and the responsibilities they can take on. Social networks and support are important at this time. Also, the young person may not be aware of their difficulties, and be resistant to accepting support, even though they may need this help and guidance.

### **4. Adult Safeguarding Principles and How They Should be Applied in Transitional Cases**

Transitional Safeguarding uses aspects from both adult and child approaches to offer more tailored support as a young person moves into adulthood. Thus, whilst the applicable legal safeguarding framework in a particular case will necessarily reflect the chronological age of the young person, underpinning principles from both regimes may be used to devise the best approach for safeguarding that young person. In the case of under 18s, whilst the safeguarding regime will be based on provisions such as the Children Act 1989 and Working Together to Safeguard Children, principles underpinning the safeguarding adults regime, such as the Care Act 2014 and accompanying statutory guidance, may be used to tailor the support for that young person.

The adult safeguarding duties under Care Act 2014 sections 42-47 apply to an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs);
- Is experiencing, or at risk of, abuse or neglect;
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

A transition assessment must be undertaken to assess a child's needs when they are likely to have needs for care and support under the Care Act 2014 when they transition to the adult system.

Local authority statutory adult safeguarding duties apply equally to those adults with 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.

Paragraph 14.5 of the Statutory Guidance provides that where someone is 18 or over but is still receiving children's services and a safeguarding issue is raised, the matter should be dealt with through adult safeguarding arrangements. For example, this could occur when a young person with substantial and complex needs continues to be supported in a residential educational setting until the age of 25. Where appropriate, adult safeguarding services should involve the local authority's children's safeguarding colleagues as well as any relevant partners (for example, the Police or NHS) or other persons relevant to the case. However, 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 – so long as the conditions set out above are met.

The Care Act 2014 Statutory Guidance sets out the following six key principles which underpin all adult safeguarding work. Good shared assessments, from all agencies, are key to forming a bigger picture of what the young person is dealing with, and struggling with. As practitioners, it is about making sure contextual and complex safeguarding issues, or potential issues, are looked at.

#### **4.1 The Six Key Principles**

##### **1. Empowerment**

A young person should be encouraged and supported to make decisions for themselves, and give informed consent. Empowerment means giving a young person as much independence and power over decisions that relate to them as is reasonably possible. This is about offering choice, encouraging the young person to make a decision for themselves, and giving the young person as much information as possible, to make the choice.

##### **2. Prevention**

Practitioners should take action to prevent harm, abuse or neglect occurring, rather than dealing with it after it happens. Careful planning is essential in achieving this principle. Having a solid safeguarding policy in place, and ensuring that all practitioners understand it, can help the team identify risks, and take action before they escalate. In addition, learning from previous incidents and safeguarding issues is also important. Good links with other services, who can help facilitate support and prevention, is important in achieving this. Access to local services, in a timely manner, can also help prevent further deterioration of a situation.

### **3. proportionality**

Proportionality is deciding how to respond to a safeguarding issue, so that the least intrusive response is made to the risk presented. This applies to both preventing, and when responding to safeguarding issues which have already occurred. If young people are part of decision making process and consulted they are more likely to cooperate.

### **4. Protection**

Protection refers to the act of providing support and care to the person when they are vulnerable. The service should also be aware of a young person's capacity to make a specific decision and if there are any control or coercion issues at play for the young person.

### **5. Partnership**

Safeguarding is everyone's responsibility, and specialist services may be able to offer expertise and give advice around the situation. It is important for practitioners to build relationships and partnerships with the young person's family, friends and professionals, to protect and support the young person. This will help to form a 'safety net' for the young person, providing more opportunity to identify risks, and enabling services to work more effectively for the young person, and the wider community.

### **6. Accountability**

Practices should be accountable and transparent. All processes should be documented clearly, and be transparent. Clear records should be kept.

The young person should be consulted and involved in the process at all times, and kept informed of what is happening, unless there are safeguarding reasons why this is not possible or advisable.

### **4.2 Making Safeguarding Personal**

Making Safeguarding Personal is a person-centred and rights based approach to adult safeguarding, which was incorporated into the Care Act 2014 guidance.

Making Safeguarding Personal and Transitional Safeguarding emphasise the importance of professional curiosity, relationship-based practice, and a multi-agency approach, around support. It engages the young person in a conversation about how best to respond to their safeguarding situation in a way that enhances their involvement, choice and control as well as improving their quality of life, wellbeing and safety.

### **5. Mental Capacity Act 2005 and Young People Aged 16 and Over**

The Mental Capacity Act 2005 is a comprehensive statutory framework that:

- Protects the autonomy of young people (from the age of 16) who have capacity to make their own decisions; and

- Protects people who lack capacity, by ensuring that they are always involved in decisions relating to them, and that any decisions made on their behalf are made in the right way.

**A young person's capacity to make decisions should be assessed if there are any doubts about their abilities.**

A mental capacity assessment must be carried out whenever:

1. There are doubts about the ability of any person from the age of 16 to make a particular decision at a particular time; and
2. 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.

The purpose of the Mental Capacity assessment is to:

3. Determine the presence of an impairment of, or disturbance in the functioning of the mind or brain (Stage 1); and
4. Where an impairment or disturbance exists, determine whether this is preventing them from making the decision (Stage 2).

Under Section 3 of the Act, a person is unable to make a decision for themselves, if they are unable to do one or more of the following:

5. Understanding relevant information given to them.
6. Retain that information long enough to be able to make the decision;
7. Weigh up the information to make the decision; and
8. Communicate their decision.

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. [Mental Capacity Act 2005](#)

## **6. Further Information**

### **Legislation, Statutory Guidance and Government Non-Statutory Guidance**

Multi-Agency Preparing for Adulthood (Transition) Protocol and Practice Guidance

(<https://sendlocaloffer.nelincs.gov.uk/wp-content/uploads/2022/02/NEL-Preparing-for-Adulthood-Protocol-Sept-21-FINAL-all-services.pdf>)

Bridging the Gap: Transitional Safeguarding and the Role of Social Work with Adults  
([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/990426/dhsc\\_transitional\\_safeguarding\\_report\\_bridging\\_the\\_gap\\_web.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/990426/dhsc_transitional_safeguarding_report_bridging_the_gap_web.pdf))

Care and Support Statutory Guidance  
(<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#safeguarding-1>)

Working Together to Safeguard Children (<https://www.workingtogetheronline.co.uk/>)

Mental Capacity Act Code of Practice  
(<https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>)

### **Good Practice Guidance**

Transitional Safeguarding - Adolescence to Adulthood (Research in Practice)

Transitional Safeguarding - Adolescence to Adulthood (Research in Practice)  
(<https://www.researchinpractice.org.uk/all/news-views/2018/august/transitional-safeguarding-from-adolescence-to-adulthood/>)