

National Safeguarding Adults Week 2020

Understanding Safeguarding Legislation



Key government initiatives and legislation:

Sexual Offences Act 2003

The Sexual Offences Act introduced a number of new offences concerning adults at risk and children.

Mental Capacity Act 2005



Its general principle is that everybody has capacity unless it is proved otherwise, that they should be supported to make their own decisions, that anything done for or on behalf of people without capacity must be in their best interests and should be the least restrictive intervention.

Safeguarding Vulnerable Groups Act 2006

Introduced the new Vetting and Barring Scheme and the role of the Independent Safeguarding Authority. The Act places a statutory duty on all those working with vulnerable groups to register and undergo an advanced vetting process with criminal sanctions for non-compliance.

Deprivation of Liberty Safeguards

Introduced into the Mental Capacity Act 2005 and came into force in April 2009. Designed to provide appropriate safeguards for vulnerable people who have a mental disorder and lack the capacity to consent

to the arrangements made or their care or treatment, and who may be deprived of their liberty in their best interests in order to protect them from harm.

[Disclosure & Barring Service 2013](#)

Criminal record checks: guidance for employers – How employers or organisations can request criminal records checks on potential employees from the Disclosure and Barring Service (DBS).

[The Care Act 2014 – statutory guidance](#)



The Care Act introduces new responsibilities for local authorities. It also has major implications for adult care and support providers, people who use services, carers and advocates. It replaces No Secrets and puts adult safeguarding on a statutory footing.

[Making Safeguarding Personal Guide 2014](#)

This guide is intended to support councils and their partners to develop outcome-focused, person-centred safeguarding practice.

