



Report of the Director of Adult Social Services

Executive Board

Date: 11 June 2008

Subject: Safeguarding Vulnerable Adults in Leeds

Electoral Wards Affected:

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

This report advises Members of the Executive Board with regard to work underway in the city to strengthen arrangements designed to ensure that vulnerable adults in Leeds are adequately Safeguarded. The report re-emphasises what is meant by 'safeguarding' and how these issues are currently addressed within the City. It highlights national work being undertaken to review regulation and guidance to ensure evidence based best practice in every locality.

The report goes on to introduce the annual report of the current Leeds Adult Safeguarding Partnership (attached as Appendix 1) and at Appendix 2 sets out a best practice framework which is intended to be adopted with our strategic partners.

Information is provided in relation to an audit conducted during 2007 by officers in relation to the current safeguarding arrangements within the context of a rapidly developing national policy agenda in this area. A series of actions for the coming year are highlighted alongside measures to improve the local Safeguarding partnership and its infrastructure thereby enabling the partnership to strengthen roles and responsibilities. Links between Safeguarding, the requirements of the Mental Capacity Act 2005, Children's Safeguarding and the Safer Leeds partnership are highlighted.

Members of the Executive Board are advised that the efficacy of Safeguarding arrangements within adult care services will be one of the three areas for Inspection which will be undertaken by the Commission for Social Care Inspectorate during August this year.

The report concludes by recommending that the developing arrangements for Safeguarding Adults as set out in this report be referred to the Health and Adult Social Care Scrutiny Board to offer members of that Board the opportunity to enquire into and comment on those arrangements as part of their work programme in this year.

1. Background

- 1.1 The term Vulnerable Adult refers to any person aged 18 and over “who is or may be, in need of community care services by reason of mental or other disability, age or illness and who is, or may be, unable to take care of himself or unable to protect him or herself from significant harm or serious exploitation.” (No Secrets 2000). Safeguarding Adults’ is a phrase which encompasses all work which enables an adult “who may be eligible for community care services” to retain independence, wellbeing and choice and to achieve their human right to live a life that is free from abuse and neglect.
- 1.2 Abuse of vulnerable adults can include: Physical Abuse - hitting, smacking, nipping, force feeding. Psychological Abuse - verbal abuse, threats to harm, humiliation, intimidation. Sexual Abuse - rape, sexual assault, not consenting to sexual activities. Financial Abuse - theft, fraud. Neglect - lack of physical care. Discriminatory Abuse - swearing and name-calling which involve racist remarks or those about a person's disability. Institutional Abuse - needs trivialised or ignored within an institution, e.g. care home, day centre, hospital. Domestic violence. The Department of Health guidance “No Secrets” requires all Local Authorities to have effective Multi Agency Policy and Procedures to tackle the possible abuse of Vulnerable Adults in settings where they depend on care, support or protection.
- 1.3 In response to this, since 1998 Leeds has brought partners together under the auspices of an ‘Adult Protection Committee’ latterly becoming retitled as the Leeds Safeguarding Adults Committee. Multi-agency procedures were introduced in 1998. The Committee is made up of managers and staff from: health services, social care services, the police and probation, housing, voluntary organisations, people who use services and their supporters or carers and the commission for social care inspection. The committee has been serviced by the Adult Safeguarding co-ordinator with the work of that officer supported by an administrative worker and further augmented by a training officer. The committee meets four times a year.
- 1.4 The multi – agency arrangements were reviewed and updated in 2002 following the publication of ‘No Secrets’, (DoH) in 2000. Each of the partner agencies has developed its own Safeguarding protocols and procedures under the auspices of the Leeds inter-agency procedures with each agency undertaking safeguarding activity within their own organisational responsibilities under the overall procedural framework without significant further review of that framework.
- 1.5 In addition to undertaking or co-ordinating Safeguarding interventions, Adult social care and it’s partners are responsible for ensuring that the wider public have access to a range of information designed to help them understand what they would need to do if they felt that they were being abused or exploited or if a member of their family, neighbour or community might be in need of safeguarding. Increasingly this information is being made available over the internet alongside more traditional information leaflets and posters.
- 1.6 Staff from the former Social Services Department now Adult Social Care undertake the lead role of coordinating and investigating allegations of neglect or abuse which might arise in the individuals own home or within a variety of other care settings. Where the case is particularly complex or perhaps involving an entire care establishment (where more than one vulnerable adult is affected), the adult protection Co-ordinator would usually co-ordinate enquiries. In this scenario, once the safety of residents is assured, work focuses on the provider in order to improve the standard of care and quality of life within their care setting.
- 1.7 In response to a growing awareness that a consistent national framework would help to consolidate best practice and to support the further development of safeguarding work the then Association of Directors of Social Services (ADSS) published ‘Safeguarding Adults’ - A National Framework of Standards for Good Practice and Outcomes in Adult Protection Work (2005). Eleven safeguarding standards were shaped in consultation and partnership with the Association of Chief Police Officers (ACPO), Commission for Social Care Inspection (CSCI), Department of Health (DOH), Public Guardianship Office (PGO), and others. The standards are set out in Section 7 of the attached annual report, they form the framework in which all

members of the Safeguarding partnership aspire to and by which it will judge its future fitness for purpose.

- 1.8 The Authority has undertaken a very significant piece of work in facilitating the introduction and implementation of the Mental Capacity Act 2005 a multi agency partnership board was established to implement the requirements of the Act and, in line with these, an independent advocacy service was commissioned to represent vulnerable adults whose capacity to make decisions may be impaired. The availability of this service and its successful introduction serve to reinforce this element of safeguarding practice.
- 1.9 Closely allied to our work to augment Safeguarding practice in the City has been the national Dignity in Care campaign which has been actively sponsored in the city and championed by the lead members of each of the political groups. The campaign also benefited from an active and supportive Scrutiny Board enquiry. The success of this campaign in raising awareness and contributing to improving standards of dignity afforded to people in care settings has gained national recognition and most recently the Yorkshire and Humberside NHS Health and Social Care award.

2. Annual Report

- 2.1 The attached Annual report reflects the national focus and increasing local awareness of abuse and neglect which have contributed to increasing levels of reporting over recent years. Other factors have also contributed to this trend principally; greater awareness by service users, carers and families around the issue. More general public awareness of the existence of adult abuse due in part to increased media coverage, both locally and nationally, the concentrated efforts of staff and carers, paid and unpaid, in recognising and responding to reports of abuse and finally, the impact and regularity of training programmes. Increasing levels of referral are seen as a very positive sign of a Safeguarding system which is alert and responsive, authorities judged to be excellent in this regard have invested heavily in ensuring that reported Safeguarding episodes are recorded and reported irrespective of where or in which organisation the issue is investigated and addressed.
- 2.2 However, whilst much has been achieved, if we are to aspire to the very highest safeguarding standards of practice both within adult social care and across the wider partnership, then more must be done.
- 2.3 The inclusion within the Local Area Agreement targets of a Safeguarding Adults indicator reflects the increasing profile of this important area of activity. This local recognition of the importance of the capacity and capability of the Authority is mirrored by central Government. To that end the Commission for Social Care Inspection (CSCI), as part of it's revised Inspection framework, has undertaken to inspect every Local Authority in relation to the efficacy of it's Safeguarding arrangements, this will be the only constant inspection category for all Local Authorities. Adult Social Care Services in Leeds will be subject to formal Inspection in August this year and judgements will be made with regard to how satisfactory our arrangements are and what capacity exists to improve performance.

3 Current Position in Respect of Safeguarding Vulnerable Adults

- 3.1 In the light of developing national guidance and following structural realignment of the Leeds Social Services Department , the Leeds Primary Care Trust structures and the internal arrangements of a number of other Safeguarding partner organisations (including the Commission for Social Care Inspection), work commenced in the summer of 2007 to review the Leeds Safeguarding Adults arrangements . The review was conducted between November 2007 and January 2008 via an audit of known Safeguarding case files and interviews with staff most closely engaged with this work. The review was conducted by the Leeds Adult Safeguarding co-ordinators and the quality and performance manager based in Adult Social Care Commissioning.
- 3.2 Following this review, the following 6 key stages of the Safeguarding process have been identified where it is agreed our current arrangements need to be reinforced, they are:

Public Information

General Safeguarding information currently available to the public from the Council and other key partners will be reviewed in the coming year to ensure that it remains up to date and relevant. We will ensure that newer means of communication (the internet for example) are better developed to ensure that citizens know where to turn if they believe abuse may be taking place. We will ensure that a wider range of specific information is developed for groups who we already know to be particularly vulnerable.

Performance management

It is recognised as being essential that performance and quality assurance systems are in place in all key Adult Social Care sections undertaking safeguarding functions, Managers responsible for the local management of safeguarding interventions must be supported to be able to put into place and manage systems to provide assurance that vulnerable adults are being safeguarded. In the coming year we will review and enhance information systems to enable more systematic review of trends in safeguarding activity.

Monitoring and recording

In the same way that information systems within adult social care require enhancement, information management is also an important tool for the wider partnership to use to ensure that safeguarding work does not take place in isolation and that the different agencies can be provided with information about patterns of abuse where they occur. In the coming year work will be undertaken to better coordinate and disseminate this information which is currently held within the different partner agencies.

Definitions and thresholds

Grey areas are known to exist in relation to definitions of safeguarding which would impact upon the number of alerts made to statutory agencies to potential safeguarding issues. This is known to be a particular issue in long term care settings where there are frequently overlaps between general quality of care issues and specific incidences of neglect. In the coming year we will provide facilitated opportunities for those staff undertaking Safeguarding enquiries to share learning on thresholds for intervention

Procedures

Elements of the multi-agency procedures have become out of date and additional material, processes for agreeing and undertaking serious case reviews and including Mental Capacity Act procedures for example, need to be agreed and widely promoted. Reviews of the procedures will take place this year and any necessary amendments will be agreed and implemented.

Training

The multi-agency training sub-group of the partnership has produced positive work and has developed, with the Safeguarding Unit Training and Development officer a programme of work for the next year. However, it has become clear that one officer co-ordinating and delivering safeguarding training is insufficient for the scale of the task and that additional ways need to be found of ensuring that effective training is not only delivered but it's impact measured. In the coming year we will be seeking to initiate further action in close cooperation with other agencies.

- 3.3 The review also highlighted the need for changes to the infrastructure of the current partnership arrangements and discussions are being progressed by the director of Adult Social Services along with the Chief Executives of partner agencies to agree the adjustments necessary to ensure that arrangements are adequate to deliver the against the standards contained at Appendix 2. It is envisaged that the six areas highlighted above will form the focus for action within adult social care and across the wider partnership within the next twelve months.

- 3.4 There are also issues arising out of the transformation of adult social care which will need to be addressed in the coming year, The development of personalised budgets, the basis of the recent Government guidance 'Putting People First', for example which is a means of offering choice and control and putting the individual at the centre of the process. In this case there will not necessarily be a requirement for any care services arranged on behalf of the individual to be subject to Criminal Record Bureau checks or interrogation of the Protection of Vulnerable Adults List. Guidance will need to be developed aimed at helping professionals balance choice and control against risk in partnership with some vulnerable adults.
- 3.5 In the light of the increasing national and local focus on Adult Safeguarding and the rapidly developing policy environment in relation to Adult Social Care, it is thought to be essential that elected members are afforded regular opportunities to be appraised of developments in this area. The lead member will be provided with regular briefings on the progress of the partnership in attaining full compliance with the eleven standards and this report recommends that members of the Health and Wellbeing Scrutiny Board become actively engaged in reviewing our progress.

4. Financial Implications

- 4.1 There will be financial implications for all partners as the plans to reinforce safeguarding systems across the City are rolled forward. However, there is already a considerable investment made by each of the partners in addressing Safeguarding issues within their own organisational context. More investment will be needed however, to support partnership infrastructures, most notably in relation to data collection and analysis and ensuring that 50,000 or more staff engaged in the care and support of adults in the city are aware and trained in relation to Safeguarding.
- 4.2 As has already been highlighted, the consequence of increased awareness of Safeguarding issues will be increased numbers of referrals which will require investigation and enquiry. In anticipation of this, we will be developing investment plans aimed at ensuring those elements of the partnership responsible for coordinating and managing this work are adequately skilled and resourced. This will be developed within the Council's budget planning process.

5. Legal Implications

- 5.1 The legal implications relate to a significant array of legislation in relation to offences against the person, guidance in relation to Care Standards, the implementation of specific guidance in relation to Adult Safeguarding, Dignity in Care and the associated responsibilities for Local Authorities and their partners set out in the terms of the Mental Capacity Act 2005.

6. Conclusions

- 6.1 Safeguarding Adults, especially vulnerable adults is everybody's business. Members of the Executive Board will wish to be assured that the system of Safeguarding is kept under close and regular review to ensure that it remains responsive to national policy shifts and local organisational realignments. This report seeks to provide that assurance.
- 6.2 Members will wish to be assured that the practical as well as strategic requirements of this approach are well understood and that any weaknesses in the system of Safeguarding are recognised and addressed. Paragraph 2.10 of this report sets out the practical initiatives which will be taken in the next year to improve local arrangements.
- 6.3 In support of the crucial role played by the Local Authority in ensuring the safety of its citizens, Members are invited to request an annual report on the implementation of the revised Safeguarding systems and structures and their progress in delivering against the 6 improvement areas and at the same time to receive the first annual report of the Safeguarding Adults Board.

7.0 Recommendation

- 7.1 Members of the Executive Board are requested to note the content of this report in relation to the revisions to the Safeguarding Adults structures in the City.
- 7.2 Members are further requested to note the content of the attached 2007/08 annual report.
- 7.3 Members of the Executive Board are further requested to refer the overall arrangements for Safeguarding Adults in the City to the Scrutiny Board (Health and Adult Social Care) so that consideration can be given to the terms of an enquiry designed to test the strength and efficacy of Safeguarding work conducted across the partnership.