Report to OVERVIEW AND SCRUTINY BOARD

Safeguarding Adults Update

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Purpose of the Report

The purpose of this report is to update Overview and Scrutiny on the progress of the safeguarding adults improvement work which was developed in response to changes in the Care Act that relate to safeguarding adults. The original report was presented to Overview and Scrutiny in January 2016. This report provides progress on:

1. The new safeguarding adult’s structure
2. Safeguarding Adults Board
3. Policies and procedures
4. Deprivation of Liberty (DOLs) and Best Interest Assessors (BIAs)
5. Safeguarding Adults Learning & Development Update 2015-2016

Recommendations

For Overview and Scrutiny to note the progress update contained within the report.
Overview and Scrutiny Board 17 January 2017

Safeguarding Adults Update

1 Background

1.1 A report outlining the progress made to Adult Safeguarding on the duties in the Care Act was presented to Overview and Scrutiny in January 2016. At this meeting training related to Adult Safeguarding for Elected Members was highlighted and a future update requested. This report provides a progress update.

2 Current Position

2.1 Progress continues to be made and is considered a priority across adult safeguarding. The service by way of summary consists of the following element;

(i) Quality monitoring of care providers
(ii) Co-ordination and administration of the Adult Safeguarding Board including policy
(iii) Administration of the Deprivation of Liberty Safeguards (DOLS)
(iv) Undertaking of safeguarding enquiries into allegations of abuse at care homes

Below highlights the key areas where progress has been made:

1. Structure – the new structure has been in place since July 2016. There is a ‘quality assurance’ function which has enabled the team to review processes and take a proactive approach with providers of care to drive quality and work with providers on improving standards. This has also included developing procedures to deal with and manage provider failure. As part of this function the Quality Monitoring Officers (QMOs) are able to focus on the quality of care delivered within care homes/care at home, ensuring that providers are meeting the necessary requirements. This dedicated support/contact is positive, within the last two months 100% of providers have reported on ‘levels of harm’ (low levels 1 & 2) by submission of monthly ‘logs’. The QMO’s can then analyse the data submitted to identify any common themes for action.

In addition there are now two social worker posts (temporarily funded through reserves) for 2 years up until July 2018. These key roles are establishing professional relationships with care homes across the market to oversee safeguarding investigations. A lead officer for safeguarding and a lead officer for the Mental Capacity Act are also in place and are leading on key developments which includes reviewing processes and making the
necessary changes to the system (Fwi) in order to collate the right information to provide accurate reporting.

2. **Safeguarding Adults Board** – A new independent chair has been appointed and he is undertaking a review of the sub groups and objectives to ensure that they are meeting key priorities. A draft business plan with priorities for 2017-18 will be presented to the Board in March 2017 for consideration. As the new chair is also chair of the Local Safeguarding Children’s Board (LSCB), it is anticipated that this will enable effective joint working across areas of shared priority with children’s safeguarding colleagues.

3. **Policies and procedures** – The multi agency policies and procedures were launched in April 2016 with a view to review them after six months of implementation. These are currently being reviewed within a multi agency task and finish group as agreed by the Board. There have been some initial challenges in capturing activity data on the FWi system. Ongoing changes are being made to the data system (FWi) to ensure it is capturing data accurately and allowing staff to implement the necessary requirements. Completion of the revised draft policies and procedures is scheduled for January 2017 and it is envisaged that they will be presented to the Board meeting on 23rd January 2017 for consideration and comment. There is ongoing work to identify any risks and training needs to ensure that they are embedded within practice.

4. **Deprivation of Liberty (DOLs) and Best Interest Assessors (BIAs)** – The Cheshire West Judgement has meant that substantially more people require the protection of the Deprivation of Liberty Safeguards than previous years and more people than the legislation ever intended to encompass. In order to manage the increase in Oldham, we are using the ADASS guidance to assist to prioritise applications.

In July 2016 systems and processes were reviewed and streamlined to ensure we can provide accurate reports and prioritise the demands and look as to how we can effectively manage the back log of over 200 referrals back dated to 2015/2016. It was agreed that we would work towards completing the back log of 15/16 to be completed by March 2017 and continue to prioritise referrals to date to lesson future back logs. The charts below show the figures for DoLS for 2015/16 and a comparison for 2016/17.
Total number of DoLS request Received 01/04/15 – 31/03/16 = 445
Number of completed DoLS = 212
Number of DoLS partly completed = 65
Number of Dolls not yet allocated = 14
Number of DoLS not required = 154

Total number of DOLS request received to date 01/04/16 to date = 439
Number of completed DoLS = 100
Number of DoLS partly completed = 103
Number of DoLS not yet allocated = 134
Number of DoLS not required = 102

Best Interest Assessors (BIAs) – Given our previous investment in this area we have increased our BIAs from 10 to 19 who have been internally trained.
5. Safeguarding Adults Learning & Development Update 2015-2016

The Safeguarding Adults Workforce Development Subgroup of the Board has multi-agency membership which is chaired by Oldham Council and attended by key partners and stakeholders including, Health (CCG & Pennine Care NHS Foundation Trust), Age UK, Care Home and Care at Home providers, Police and Housing representation.

The Subgroup sets objectives based on multi-agency learning & development requirements related to safeguarding adults key local and national drivers and legislative requirements under the Care Act 2014. This year, the safeguarding adults multi-agency training strategy was written and training levels agreed based on the National Competency Framework for Safeguarding Adults (developed by Bournemouth University and endorsed by Skills for Care, SCIE, National Trading Standards and the Chartered Trading Standards Institute). The strategy has now been signed off by Oldham SAB.

Level 1 & 2 training is safeguarding adult’s awareness raising sessions and targeted at internal Council staff and care providers. Levels 3, 4 & 5 are specialist training for multi-agency managers and professionals responsible for undertaking safeguarding adult enquiries. For the period 2015-2016 the following training has been commissioned via the Development Academy:

- Level 1 ELearning modules are available for internal Council staff
- Level 2 awareness raising sessions are currently being delivered by the Development Academy
- Level 2 Train the Trainer sessions have been piloted and a training pool developed
- Level 3 training for professionals who lead enquiries which has been targeted at social workers and care coordinators this year (x8 sessions up to April 2017) plus 3 sessions delivered by SCIE
- Level 4 training for managers and senior practitioners undertaking the SAM role and chairing safeguarding adults meetings (x4 sessions have been commissioned)
- A programme of Level 2 training has been commissioned (approx. 1 session a month) on the Mental Capacity Act and Deprivation of Liberty Safeguards which is targeted at care provider managers, internal Council staff and health partners

Several workshops have been delivered to care provider managers and internal Council staff and partners on the new policy and procedures.

Training for local Councillors - general safeguarding training is included as part of mandatory training. To date 23 have attended, 19 need to attend the updated session and 18 are either newly elected /no record of attendance. We have contacted all outstanding attendees for a preferred day/time so that we can plan future dates to ensure maximum attendance. Section 6 below gives examples of some of the case studies that are discussed at the training.

3 Key Issues for Overview and Scrutiny to Discuss
3.1 Legal Developments - The DoLS have been criticised since they were introduced for being overly complex and excessively bureaucratic. In March 2014, the House of Lords concluded that the DoLS were “not fit for purpose” and needed to be replaced. In July 2015, consultation on the law of mental capacity and deprivation of liberty was launched by the Law Commission. A final report and a draft Bill was expected in December 2016, to which it is still outstanding.

3.1.2 The development of the Making Safeguarding Personal approach means that the approach to adult safeguarding is changing with the alleged victim at the centre of all considerations. This involves a different way of managing risks with a positive risk taking approach.

3.1.3 Harms levels have been introduced to graded at level 1 through to 5 to enable care homes in particular to take responsibility for managing some of the lower level concerns.

Joint Policy - The North West sector has now drafted a joint safeguarding policy and procedure which will be for discussion at the next planned forum. Oldham is currently reviewing its Safeguarding policy and procedures and is currently reviewing the draft Joint policy. As such adult safeguarding procedures are evolving and will be the subject to further changes and updates.

4 Key Questions for Overview and Scrutiny to Consider

4.1 A further progress report to be presented to Overview & Scrutiny in April/May 2017 when we will be able to provide an update/impact report on the DoLs and share identified priorities within the business plan. Attached at Appendix A is the Annual Report for 2015/2016.

5. Links to Corporate Outcomes

5.1 There are six key principles which underpin all adult safeguarding work, and which will be used to support the plan towards the aim of achieving the gold standard in making safeguarding personal, and which promote the Co-operative values of the Council. These were signed up to at the Making Safeguarding Personal launch by the teams and are emphasised in the new delivery model;

i. Empowerment – People being supported and encouraged to make their own decisions and informed consent. “I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens.”

ii. Prevention – It is better to take action before harm occurs. “I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.”

iii. Proportionality – The least intrusive response appropriate to the risk presented. “I am sure that the professionals will work in my interest, as I see them and they will only get involved as much as needed.”

iv. Protection – Support and representation for those in greatest need. “I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.”

v. Partnership – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse. “I know that staff treat any personal and sensitive information in
confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.”

vi. Accountability – Accountability and transparency in delivering safeguarding. “I understand the role of everyone involved in my life and so do they.”

6 Additional Supporting Information

6.1 The chart below highlights the membership of the Safeguarding Adults Board, links to other Boards and the current subgroups.

Below are examples of case studies that are presented within the safeguarding overview training for members. They often generate a lot of discussion.

Case Study 1
X is an older man with some mobility and alcohol issues. He lives in a 1st floor flat provided by FCHO. He has told you that he has been assaulted by a woman who he has lent money to. He says that lots of people, including the woman who assaulted him, have been visiting his flat and he wants it to stop, although he doesn’t want to involve the police or press charges against anyone. He says he wants to move away. He doesn’t have any family or friends to assist him, and welcomed support from FCHO

- What are the issues?
- What are you responsibilities?
**Case Study 2**
A member of the public comes to see you in your surgery and tells you that her daughter has recently started working as a care assistant at a local residential home. She has said that she has seen the older care assistants shout at the residents on a couple of occasions, which has made her feel uncomfortable. Yesterday, a resident said she wanted to stay up later to watch a TV programme, but a member of staff told her that she had to go to bed before the night staff came on shift. When the resident got upset, the staff member said “If you carry on like that, you won’t get your TV on at all.”

The daughter has told her mother that she doesn’t want to say anything because she’s scared she might lose her job.

- What are the issues?
- What are you responsibilities?

**7 Consultation**

7.1 As part of the review of the current safeguarding policies and procedures we have consulted and engaged with an independent safeguarding consultant, Age UK, partner agencies and practitioners to seek their views and agreed approach to revising the documentation.

**8 Appendices**

8.1 **Appendix 1 – Service structure**
**Appendix 2 - Safeguarding Adults Annual Report 2015-16**
Appendix 1 - Service structure

Service Structure and Resources

Head of Commissioning and Quality
Helen Ramsden

Quality Assurance and Safeguarding Board Manager 1 x FTE
Gwen Irving Grade 10

Safeguarding & DoLS Lead 2 x FTE
Michelle Barnes & Ros Butler Grade 9

Safeguarding Social Worker 2 x FTE
Michael Harrison and Rosemary Carr
Temp until 31/03/2018 (Reserves) Grade 7

DoLS Co-ordinator 2 x FTE
Janet Crowther & vacancy Grade 5

Quality Monitoring Officers 3 x FTE
Alison Harland, Kathryn Smith & vacancy Grade 4

Business Support x 3

2 X Project Managers
Frances Topping - 1 x FTE
Temp until 31/03/17 (BCF)
Jane Bellwood 1 x FTE Temp (HRA)

Quality and Compliance Manager
Debbie Mc Bride
Grade 10 1 x FTE

Planning & Commissioning Manager
Jonathan Sutton – Ageing Well
Lynda Megram – Housing Related Support
Claire Hill – Learning Disability, Autism and Mental Health

Grade 9 3 x FTE

Central Access Point Officer – Supported Accommodation
Maggie Lucas
(HRA)
Grade 7 1 x FTE

Planning & Commissioning Officer
Barbara Gregory
1 x 0.6 FTE

Appendix 2 – Safeguarding Adults Annual Report 2015-16

OSAB Annual Report 201516.doc