

**Health and Adult Social Care Policy  
and Scrutiny Committee**

**26 January 2016**

Report of the Head of Adult Safeguarding, Mental Capacity Act and Deprivation of Liberty Safeguards.

**6 Month Update on Adult Safeguarding in the City of York**

**Summary**

- 1 Members of Health and Adult Social Care Policy and Scrutiny Committee will recall the annual assurance report was presented on 21 July 2015, alongside the Safeguarding Adults Board Annual Report.
- 2 The enclosed report is produced on behalf of Adult Social Care, and the Safeguarding Adults Board to provide members of the Health and Adult Social Care Policy and Scrutiny Committee with a six month update in respect of work undertaken to safeguard adults with care and support needs across the City of York.
- 3 This update report outlines the actions taken to further improve the arrangements in place to ensure that City of York Council is able to discharge its responsibilities to keep adults with care and support needs within the City protected from the experience, or risk of experiencing abuse or neglect, whilst maintaining their independence and wellbeing.
- 4 Health and Adult Social Care Policy and Scrutiny Committee are asked to accept assurance that arrangements for safeguarding adults and the improvements made over the last six months are satisfactory and effective

**Background**

- 5 The Care Act 2014 was introduced on 1<sup>st</sup> April 2015 and this place adult safeguarding functions on a statutory footing, similar to those in children's services.

There is however a significant difference when working to safeguard adults who have the mental capacity to make decisions about all aspects of their lives, including those associated with abuse or neglect.

- 6 Making Safeguarding Personal and guidance contained with Chapter 14 of the Care Act Statutory Guidance, makes it clear that adult safeguarding should be led and informed by the views, wishes and outcomes of people who require intervention to maintain their safety and well being.
- 7 A summary of the key changes introduced by the Care Act 2014 and Making Safeguarding Personal are provided in the report submitted to Health and Adult Social Care Policy and Scrutiny Committee on 21 July 2015.
- 8 In April 2015 the Local Government Association (LGA) produced a “Councillors briefing” for safeguarding adults where it outlines the crucial role of Councillors in helping to safeguard adults from abuse or neglect, in their role as community leaders, championing the wellbeing of their constituents.
- 9 The LGA believe that all Councillors play a critical role in examining how safeguarding is experienced by local people, how people were consulted and involved in developing policies and monitoring services, and how they were involved in their own safeguarding plans and procedures.
- 10 As lead members in Council’s for Social Services responsibilities the LGA confirmed the critical role of the “Portfolio Holder” as providing political leadership, accountability and direction to the Council’s services for adults.
- 11 The LGA outline the crucial role Members of Overview and Scrutiny play with regard to–
  - Ensuring the system works by holding leaders to account;
  - Reviewing the Safeguarding Work lead on by the Local Authority and its local partners

- Considering the Safeguarding Adults Board Annual Report to find out how well local residents are safeguarded and work being undertaken to improve local practice.

## **Analysis**

- 12 The Local Authority (as lead agency for safeguarding adults) and multi agency Safeguarding Adults Board have continued to make improvements to Local Safeguarding practice in the time that has passed since the Annual Assurance report was submitted on 21<sup>st</sup> July 2015.

### **The Key Developments that have occurred in the intervening period are summarised as follows –**

- 13 In September 2015 the City of York Council appointed a dedicated Head of Service for Safeguarding Adults, Mental Capacity Act and Deprivation of Liberty Safeguards
- 14 The Safeguarding Adults Board has agreed a multi agency budget which is used to fund the activity that arises from the work of the SAB.
- 15 To ensure all Safeguarding Adults Board meetings remain focused on the experiences of people who require support to stay safe, each meeting starts with a lesson from practice which is presented by a front line practitioner who is represented at the Board. This is supported by the production of quarterly Safeguarding intelligence that allows the Board to understand patterns, themes and trends arising from local safeguarding practice. This is attached in Appendix 3.
- 16 The Safeguarding Adults Board has agreed a new sub group structure to support effective embedding of the Care Act 2014 and Making Safeguarding Personal. The current groups which will remain under review are –
- Safeguarding Adults Review and Lessons Learnt Group;
  - Professionals Practice Group (which meets across York and North Yorkshire);

➤ Training and Development Group;

- 17 The Safeguarding Adults Board has not been required to commission any Safeguarding Adults Reviews, but continues to receive assurance and updates about key lessons and improvements to practice arising from the Lessons Learnt multi agency reviews overseen by the sub group.
- 18 The Safeguarding Adults Board has undertaken a self audit using the Yorkshire and Humber Annual Assurance Framework and there is positive assurance. In recognising the positive work there remains an ongoing challenging to fully embedding person centred approaches to safeguarding across all partner agencies.
- 19 Recommendations that arose from this exercise includes –
- A series of Peer Challenges from board members to give further assurance to individual assessments should be established
  - Self assessments should be repeated 6 monthly with consideration to given to individual submission to the board
  - Specific actions under strategic plan should pick up on the areas of weakness across the partnership.
  - These include, improving our approach to the equalities agenda, assuring safeguarding decision making, understanding the impact of training, ensuring the volunteer and non professional workforce has the skills they need and ensuring that providers and commissioners have safeguarding at the core of their relationship
- 20 At the Safeguarding Adults Board meeting on 4<sup>th</sup> December 2015 the Board agreed the following –
- Final sign off for the Multi Agency Safeguarding Adults Policy and Procedures for West Yorkshire, North Yorkshire and York (with the review of these procedures due to commence in February 2016);

- Final sign off for the Safeguarding Adults Board high level Strategic plan for April 2016 to March 2019;
- Agreement of the framework for the new Safeguarding Adults Board website which is due to be launched on 1<sup>st</sup> February 2016;
- To review the current annual work plan and identify actions that need to be closed down as they do not support delivery of the statutory guidance.

21 The workforce development unit have continued to provide safeguarding adults training (for Council and non Council employed staff) at levels 1 – 4, the demand for training related to investigation and management of investigations has reduced. This is in keeping with the changing legislative framework for adult safeguarding, which has required further enhancements to training for qualified staff and managers.

22 An audit of the learning and development needs of Safeguarding Adults Board members identified a wide range of knowledge's, skills and experiences. To address this matter The Board have agreed 2 developmental sessions to ensure that all Board members (a) are aware of the key duties of the Board following the introduction of the Care Act 2014 (b) are aware of the expectations of a Board member in accordance with the Care Act 2014 (c) can contribute to the finalised Board work plan for April 2016 to March 2017 which will enhance ownership and connectivity of the Boards work plan with cross cutting themes and trends that arise from single agency strategic work plans;

23 Following a review of the Council's Safeguarding Adults Training the Head of Service for Safeguarding has reproduced the learning outcomes for all safeguarding adults training provided by the Council. This will help ensure the following practice areas are further embedded across the work force.

- Outcome focused safeguarding within a Statutory framework;
- The duty that everyone has to take action to safeguard children who are identified at risk of abuse or neglect;

- An awareness of the Councils duty under Section 26 of the Counter-Terrorism and Security Act 2015;
- We can better understand the impact training has on changing the culture and practice of Safeguarding Adults.

The Workforce Development Unit are currently working with external training providers to ensure training packages are update to meet new learning outcomes with the intention that this will be rolled out to the workforce prior to October 2016.

### **Ongoing developments to Local Safeguarding Practice**

- 24 The Head of Service for Adult Safeguarding is leading on the development of multi agency local operational guidance to describe how the multi agency procedures will be implemented in York. This was presented to the Safeguarding Adults Board on 4 December 2015 and meetings with key partners took place during the month of December 2015. A meeting in planned with colleagues in North Yorkshire in January 2016 to explore the potential for harmonising this guidance across both areas.
- 25 The Local Operational Guidance will be signed off by the end of January 2016 and its implementation will be supported by local briefing sessions provided by the Head of Service for Safeguarding Adults. The briefing sessions will help staff better understand the custom and practice changes that are required to ensure we can evidence people experience a personalised safeguarding response from the Council and other local partners.
- 26 The Local Authority will lead on the development and implementation of a positive risk enablement culture and process to support person centred practices.

This will ensure

- Responsibility for decision making is clear;
- That front line staff are supported to work with capacitated adults who make decisions regarding risks in their lives;

- That the Council is not exposed to unnecessary risks that arise from decision making of officers within Adult Social Care.

- 27 The Head of Service for Adult Safeguarding represents Adult Safeguarding / Adult Social Care at the Local Children's Safeguarding Board. Further work is required to formalise the arrangements for taking forward cross cutting issues that arise from domestic abuse, sexual exploitation, the toxic trio (substance misuse, domestic violence and parental mental health).
- 28 The Head of Service for Adult Safeguarding has produced a briefing note for colleagues at the Children's Safeguarding Board to enhance their understanding of the Legislative Framework relating to adult safeguarding.

### **Council Plan**

- 29 The proposals within this report relate to the Council Plan priority to ensure that adults with care and support needs are effectively protected from the experience, or risk of abuse or neglect.

### **Financial implications**

- 30 There are no financial implications to this report. Safeguarding activity is

### **Equalities**

- 31 Safeguarding Adults impacts on a wide section of Society and is likely to affect the lives of many adults with care and support needs, their families and cares. There are no issues arising from this report that would require a further equality impact assessment.

### **Consultation**

- 32 The Safeguarding Adults Board is keen to undertake further work to raise the profile of adult safeguarding across the City of York, and is looking to work in conjunction with other key local partners to host a safeguarding week during 2016.

33 This will help raise the profile of the work done across York to keep residents safe from the experience of, or risk of abuse or neglect. It will also allow the Board to consult with wider members of the community around safeguarding to help inform ongoing developments.

34 When the Safeguarding Adults Board website is launched on 1<sup>st</sup> February 2016 there will be a section dedicated to customer feedback that can be used to help improve peoples awareness of safeguarding, help to improve the quality of the information provided by the Board, and provide a forum for people to ask specific questions of the Board relating to local adult safeguarding practice.

### **Legal Implications**

35 There are no legal implications as a result of this report.

### **Risk Management**

36 The recommendations within this report do not present any risks which need to be monitored

### **Crime and Disorder**

37 All of the issues and actions relating to Safeguarding Vulnerable Adults contribute to the Safer Communities agenda. Specifically Safeguarding has strong links with the Domestic Violence agenda and to Hate Crime

### **Recommendations**

- 38.
- (i) That Health Adult and Social Care and Policy Scrutiny Committee accept the content of this report;
  - (ii) That Health Adult and Social Care and Policy Scrutiny Committee agree arrangements for seeking future assurance;
  - (iii) That Health Adult and Social Care and Policy Scrutiny Committee consider how Officers can support Members in their role.



Reason: To keep the Committee assured of the arrangements for Adult safeguarding within the city.

## **Contact Details**

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## **Report Approved**

### **Date:**

### **Wards Affected:**

All

**For further information please contact the author of the report**

## **Appendices**

**Appendix 1** - LGA Councillors Briefing Note 2015 Adult Safeguarding

**Appendix 2** - York Safeguarding Adults Board Strategic Plan 2016 to 2019

**Appendix 3** - Quarter 2 Performance Data for the Safeguarding Adults Board.

## **Glossary of abbreviations used in report and appendices**

ADASS- Association of Directors of Adult Social Services  
CCG- Clinical Commissioning Group  
CVS- Centre for Voluntary Service  
CQC- Care Quality Commission

LGA- Local Government Association

MCA- Mental Capacity Act

OSC- Overview and Scrutiny Committee

SAB- Safeguarding Adults Board

SAR- Safeguarding Adult Review

TEWV- Tees, Esk and Wear Valleys NHS Foundation Trust