



Meeting of Executive Member for Housing and Adult Social Services and Advisory Panel

8th September 2008

Report of the Director of Housing and Adult Social Services

North Yorkshire and York Safeguarding Adults Partnership Board (former Adult Protection Committee) Annual Report 2007/8

Purpose of Report

- 1 To inform the Executive Member of the work of the Safeguarding Adults Board for City of York and North Yorkshire as set out in its annual report and the key issues relating to Safeguarding.
- 2 To inform the Executive Member of the decision by the Board to move to separate arrangements for York and North Yorkshire from October 2008.

Background

- 3 An Adult Protection Committee was set up in 2003 to respond to the requirements of Department of Health guidance on developing and implementing multi-agency policy and procedures for the protection of vulnerable adults against abuse. The title given for this initiative was "No Secrets". The initiative arose from growing awareness of the need to have clear and immediate action across social services, the NHS and the Police to tackle incidents of abuse against adults and older people to match those required for the protection of children. However, Adult protection arrangements differ from those to protect children and there is still no statutory requirement to have a committee.
- 4 From the outset it was agreed that City of York and North Yorkshire County Council would collaborate to set up the same policies and procedures so that there could be seamless working with the NHS and the Police across local authority boundaries. Thus the committee covered the whole of both local authority areas and has one co-ordinator to support its work. In addition, in each PCT area there is a Local Group, which is responsible for the more detailed implementation, monitoring and development and for maintaining and improving local networks to tackle abuse.
- 5 In October 2005 the Association of Directors of Adult Social Services published a National Framework of Good Practice in **Safeguarding Adults**. This set out standards for adult protection (specifically seen from a local authority point of view) that ought to be in place and the

partnership arrangements needed to achieve that. The term "Safeguarding Adults" mirrors the term now used to describe what used to be referred to as child protection (Safeguarding Children) and signals a change in the focus to improving prevention and strengthening strategic partnerships (e.g. covering wider crime and disorder issues) as well as ensuring excellent adult protection procedures and training for staff.

- 6 From January 2008 the Adult Protection Committee agreed to reconstitute itself as the Safeguarding Adults Partnership Board and established an Executive Group (comprising senior representatives from the two local authorities, North Yorkshire Police and North Yorkshire and York Primary Care Trust) to be responsible for leadership and strategic development.
- 7 Adult protection procedures apply to any vulnerable person over the age of 18 who may be unable to look after him or herself and/or be unable to protect him or herself against significant harm or exploitation. It therefore includes people who:
 - are elderly;
 - are physically or mentally frail;
 - suffer from a mental illness including dementia;
 - have a physical or sensory disability;
 - have learning disabilities;
 - have a severe physical illness
- 8 "Abuse" is defined in the widest sense of the word so that it includes:
 - **physical abuse**, including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions;
 - **sexual abuse**, including rape and sexual assault or sexual acts to which the vulnerable person has not consented, or could not consent, or was pressurised into consenting;
 - **psychological abuse**, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks;
 - **financial or material abuse**, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits;
 - **neglect and acts of omission**, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating; and
 - **discriminatory abuse**, including racist, sexist, that based on a person's disability and other forms of harassment, slurs or similar treatment.

- 9 In September 2007 the Association of Directors of Adult Social Services presented government with a 7-point plan for strengthening the law to help protect adults from abuse. In particular there was a clear message that in supporting moves to give individuals greater freedom to spend their own care budgets there needed to be far greater legal protections for people against the possibilities of abuse.
- 10 Elsewhere on this agenda is a report from the Commission for Social Care Inspection on safeguarding arrangements in York. This is part of a national programme highlighting the importance now being placed on this issue.

Consultation

- 11 Comments have been received from members of the multi-agency board in the preparation of the report

Options

- 12 Members can provide comments on the annual report or simply note its contents.

Analysis

Key Issues in the Annual Report

- 13 Comments are invited on the whole report but the following issues are highlighted for noting:
 - There is an improved range of data available on the number and type of abuse cases reported for investigation and further improvements are in place for 2008/9. There is a need to strengthen the performance framework in terms of the effectiveness of the safeguarding system so that it can be subject to proper scrutiny (e.g. how quickly cases are allocated). This will form part of the improvement plan arising from the recent inspection.
 - The number of cases investigated rose again from 70 in 2006/7 to 88 in 2007/8 – this means there has been a 51% increase since 2005/6 when 58 cases were investigated. First quarter figures for 2008/9 show that this trend is continuing. This is a matter of real concern in terms of community safety but is positive in terms of growing awareness of abuse issues and more cases coming forward for investigation.
 - The pattern of abuse is broadly similar to previous years with physical abuse occurring in 36% of cases (as in 2006/7) but with financial abuse continuing to rise (occurring in 33% of cases compared 25% in 2006/7). Most cases of abuse occur in the person's own home but a significant number take place in residential and nursing homes.

- 68% of cases affect older people aged 65 and over (similar to 2006/7) but there has been a marked decrease in the proportion of people with learning disabilities (13% compared to 23% in 2006/7) but with an increase in cases affecting people with physical disabilities (13% compared to 6% in 2006/7). From 2008/9 data will not be age specific and some of these variations may be accounted for because of uncertainty about how best to categorise people.
- Training and awareness remain a focal point of the work on adult protection. A multi-agency training strategy has been adopted by the Board in which requires all partners to sign up to a level of training for their staff (which differs depending on their role).
- A major piece of work has been carried out to revise and update the multi-agency policy and procedures for safeguarding. There has been extensive consultation on this and the Board approved the changes at their meeting on 25th July 2008.

Future Governance arrangements for Safeguarding

- 14 There were very strong reasons why it made sense to set up a Board covering York and North Yorkshire. The main reason was to ensure that common policies and procedures for protection and investigation were in place for colleagues in the NHS and the Police whose staff operate in both local authority areas. York has benefited from sharing resources with north Yorkshire County Council in this way.
- 15 However, the times seems right to focus on the next phase of work which means the Board taking a more proactive role in ensuring that strategic decisions are put into effect, improvements are achieved and activity scrutinised. This feels like a natural progression and one which is not dissimilar to the progression made by the Safeguarding Children's Board.
- 16 At it's meeting on 25th July the North Yorkshire and York Safeguarding Board unanimously agreed to stand down in favour of separate arrangements. The proposal for York is to also stand down the Local Safeguarding Action Group (which covered York and Selby) and to form a new Safeguarding Board for York. This would have membership from the same key statutory agencies (local authority, PCT, Police) but would bring in representatives who are more focussed on York. It would also make it easier to enlist other key local partners and involve users and carer representatives. It is also proposed to strengthen the governance by inviting the Executive Member for Housing and Adult Social Services to join the Board.
- 17 The intention is for the Board to be established in time to have its first meeting in October. An interim report on safeguarding activity on the first six month's of the year will be prepared and the next annual report will focus solely on York.

Strengthening the resources to protect vulnerable adults

- 18 The number of referrals for adult protection are increasing (a trend that has accelerated in the first quarter of 08/9) and as already covered in this report there is a need to strengthen the response and put in place a rigorous performance management system and governance framework.
- 19 Some local authorities have a dedicated team to deal with safeguarding but that is a decision that would need to be taken in the light of a fuller analysis of referral pathways in adult services. However, there is a need to put in place additional service manager capacity to take responsibility for safeguarding issues, to add to the care manager resource to respond to referrals and to provide some dedicated admin support (e.g. for minuting case conferences).
- 20 Given the importance of safeguarding it is proposed to recruit to these posts as quickly as possible. The financial implications are considered below.

Corporate Priorities

- 21 The report relates to the corporate priority “ Improve the health and lifestyles of the people who live in York, in particular among groups whose levels of healthy are the poorest

Implications

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Financial

In order to establish a new Board for York it will be necessary to end the current, jointly funded arrangements for support to the Board and set up a dedicated system within York.

A growth bid of £78,000 was made as part of the budget process for 08/9 to strengthen the care management of safeguarding. This was not approved as it was deemed to be unaffordable at that time. Separating out the resources currently shared with North Yorkshire County Council will free up some money to contribute to the cost but in setting up the additional staffing arrangements set out in paragraph 19 there will be an additional, net, full year cost of £86k to the Council - which is similar to the growth bid made as part of the last budget process.

This agenda also covers the first quarter review. Following an analysis of the expected position over the rest of the financial year officers consider that these additional costs can be covered from across the budgets in adult social services. Clearly, the costs in 08/9 will be part year and depend on speed of recruitment.

Human Resources – in addition to the recruitment issues covered above there will be staffing implications related to the change to Board arrangements but not to an employee of the council.

Equalities – an Equalities Impact Assessment has been carried out on the revised, joint policies and procedures agreed by the Safeguarding Board. Consultation will take place with local stakeholders

Legal – none arising directly from this report.

Crime and Disorder – closer links have been forged with Safer York and the work on neighbourhood profiling to identify ways in which to protect vulnerable adults. The move to a York Safeguarding Board will give more impetus to the link to broader work on community safety.

Information technology – no implications arising from this report

Property – no implications arising from this report

Other – not applicable

Risk Management

- 23 The partnership with other agencies is not one that involves joint assets or significant expenditure and therefore the risks attached are relatively low. The risks associated with the recommendations of this report are assessed at a net level below 16.

Recommendation

- 24 That the Executive Member and Advisory Panel comment on the work of the Safeguarding Adults Board and the issues highlighted in this report and, in particular, the move to a new Safeguarding Adults Board for York.
- 25 That the Executive Member become a member of the Safeguarding Adults Board for York
- 26 That the Executive Member endorses the recruitment of additional staff to strengthen safeguarding arrangements in York.

Reason:

To ensure that the City of York Council is in a position to meet its safeguarding responsibilities towards vulnerable adults in the city.

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Chief Officer Responsible for the report:
Bill Hodson
Director

Report Approved Date 21/8/08

Bill Hodson
Director

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Specialist Implications Officer(s)

N/A

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

Annexes

1. North Yorkshire and York Safeguarding Adults Partnership Board
Annual Report 2007/8