

Name of Panel
Health and Social Services
Scrutiny and Performance Panel

Agenda
Item No.

8

3rd November 2015

Title of the Report:
Walsall Safeguarding Adults Board Annual Report 1st April 2014 – 31st March 2015

Ward(s) All

Portfolios: Cllr Eddie Hughes - Adult Social Care and Inclusion

Executive Summary:

The Walsall Safeguarding Adults Board (WSAB) is pleased to present its third Annual Report to the Health and Social Services Scrutiny and Performance panel, which details the key achievements, ongoing challenges, a personal service user story and our future ambitions (the full report on approval will be made available on www.wsab.co.uk)

The WSAB has prepared for the implementation of the Care Act 2014 and Making Safeguarding Personal from the 1st April 2015 has a duty for ensuring there is a multi-agency vision and working arrangement for local Statutory and non Statutory agencies to work together to safeguard “**adult with care and support needs**”. An adult with care and support needs is defined as someone over the age of 18 who is in receipt of services, or stands in need of these services, if experiencing or at risk of abuse or neglect.

The WSAB Board is also responsible for seeking assurance to ensure all relevant stakeholders work effectively to prevent abuse or neglect from occurring, and ensuring timely actions are taken in response to people experiencing abuse and neglect.

The WSAB continues to develop the work of the Board to embed three key National developments that were introduced to transform how safeguarding adults work is undertaken.

1. The Care Act 2014 places safeguarding adults on a statutory footing for the first time in England. This means the WSAB has become a statutory board from April 2015 with enhanced safeguarding duties and the Local Authority has enhanced lead duties to undertake enquiries into allegations of abuse and neglect. Statutory partners have a duty of cooperation with the Council in safeguarding adults.

2. Making Safeguarding Personal is an approach in which Local Authorities and Safeguarding Adults Board will evidence how they have worked with individuals who have experienced abuse or neglect, to ensure the person has more choice and control over the outcomes achieved by the safeguarding response. It provides a model of best practice that places the adult at risk at the heart of the process.
3. There has been a significant legal judgement in April 2014, in which the terms of the Mental Capacity in protecting vulnerable peoples' human rights, was extended for those experiencing Deprivation of Liberty from institutional settings (i.e. hospitals and care homes) to community settings.

The Health and Social Services Scrutiny Panel is invited to consider the recommendations outlined below:

Reason for scrutiny:

The WSAB has an important role in safeguarding adults with care and support needs, or are subject to a Deprivation of Liberty Safeguard (under the Mental Capacity Act), would not be able to safeguard themselves without the intervention of others.

The WSAB recognises the key role undertaken this Scrutiny Panel has in terms of holding the Board to account, and seeking assurance on the work being undertaken to safeguard individuals.

In addition to Scrutinising the work undertaken in the reporting period 2014 – 2015, the WSAB would also like Scrutiny to consider the role of locally elected members in relation to safeguarding ***“adults with care and support needs”***.

Recommendations:

That:

1. *That the Panel endorses the Walsall Safeguarding Adults Board's Annual Report 2014-2015. This report is aimed at demonstrating how the Board and the Adult Social Care and Inclusion Directorate has prepared and undertaken work in regard to the implementation of the Care Act 2014 and ***“Making Safeguarding Personal”***.*

Background papers:

The Walsall Safeguarding Adults Board report is attached to this report.

Resource and legal considerations:

The WSAB will continue to work with all members to identify a realistic budget to support its enhanced safeguarding duties under the Care Act 2014. This report and Panel discussion will support the WSAB in this area of development.

Citizen impact:

The submission of the Annual Report will enable the WSAB and Council to consider if current arrangements and future developments are effective in evidencing that service users, families and carers benefit from positive outcomes when at risk or have suffered abuse.

Environmental impact:

There is no anticipated environmental impact.

Performance management:

The Annual Report will enable members to understand, question and challenge the performance management frameworks that are currently used, or in development. This will ensure the WSAB and Council can demonstrate robust arrangements that will stand up to eternal challenge and Scrutiny.

Equality Implications:

The Annual report includes an analysis of equalities of those covered

Consultation:

The WSAB annual report has been prepared following ongoing consultation with all partner organisations that are represented at the Board. These reports have been formally accepted as an accurate reflection of the key achievements of the WSAB in the year 2014 – 2015.

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1.1 Report

- 1.2 The WSAB are pleased to be presenting the third Safeguarding Adults Annual Report to Scrutiny. In this report we will revisit the key aims and achievements for 2014-2015, before focusing on the ambitions for the WSAB in 2015-2016.

1.3 Key Aims of the WSAB in 2014 – 2015

- 1.4 The WSAB had agreed a number of key development areas that would enhance the local safeguarding adult's outcomes for people with care and support needs with responses, which included:
- 1.5 **Quality Assurance and Performance** to ensure that all partners work together with an effective quality assurance framework and to share learning from Safeguarding Adults activity.
- 1.6 **Partnership working** to ensure effective representation of member agencies and to develop the infrastructure of the Board in compliance with the Care Act 2014 and Making Safeguarding Personal.
- 1.7 **Communication** with the aim of ensuring the voice of the Service user is heard. To further raise the awareness of Safeguarding Adults policy and practice across the community.
- 1.8 **Prevention** to work with colleagues in commissioning and contracts to ensure safeguarding was built into the quality of care. To develop and utilise safeguarding adults intelligence and other sources of information. The purpose to identify and where possible prevent abuse from occurring.
- 1.9 **Protection** to ensure timely and proportionate responses when concerns are Identified. This was to be achieved by ensuring that Safeguarding Adults Policy and Procedures and Local guidance are up to date.
- 2.0 **Training** to support the development and implementation of a Black Country competence based training framework to make clear the expectations to the workforce when responding to Safeguarding concerns. To monitor and evaluate safeguarding adults training programme in accordance with the Care Act 2014 and Making Safeguarding Personal.

2.1 Key Achievements for the WSAB in 2014 – 2015

2.2 Preparation for Statutory Boards (Quality Assurance and Performance)

- 2.3 The WSAB continues with a review of its form and function to identify areas of strength and future developments that are required to meet the standards of a successful board.
- 2.4 The multi agency partners during 2014 – 2015 have undertaken single agency and Multi Agency audits which has assisted the Board with the development of its Business planning priorities.

2.5 Development of the WSAB (Partnership Working)

- 2.6 The WSAB held a successful away day that supported members in ensuring that they understood the statutory requirements of the Care Act 2014 and Making Safeguarding Personal.
- 2.7 The Board has updated its adult safeguarding policy and procedures to ensure they remain compliant with the Care Act 2014 and Making Safeguarding Personal.
- 2.8 The Board has further developed its structure together with a work plan that was aligned to cross cutting organisational priorities of the individual member organisations.

2.9 Involving people who have experienced abuse or neglect in the WSAB (Communication)

- 3.0 The WASB has begun to explore opportunities for how to effectively engage people who have experienced abuse or neglect in a meaningful way. The Board now benefits from the representation of Health watch.
- 3.1 To support the WSAB's ambition of enhancing the user and carer voice the Council are further embedding the Making safeguarding personal, which will enable the Council to provide evidence to the WSAB around how it has supported people to achieve their individualised outcomes through the safeguarding process.
- 3.2 This will require organisational culture change as safeguarding adults responses have historically been process driven and not outcome driven, to ensure this is effectively embedded it will be linked into ongoing culture change around reinventing social work.

3.3 Prevention of Abuse (Prevention)

- 3.4 The Board have worked with colleagues in commissioning and contracts to ensure safeguarding was built into the quality of care. To develop and utilise safeguarding adults intelligence and other sources of information. The purpose to identify and where possible prevent abuse from occurring.

3.5 Developing key performance indicators from all partner agencies (Protection)

- 3.6 Work is underway to develop a WSAB dashboard / data set that will host multi agency intelligence relevant to the role and function of the WSAB. This will enable the WSAB to develop an understanding of developing patterns, themes and trends across the multi agency partnership. A breakdown of the current Statistical data is provided in the WSAB Annual Report for 2014/15.
- 3.7 The WSAPB continues to play an active Regional role through representation on the Regional Safeguarding Adults group. This forum has provided an effective peer support group for individual safeguarding adults leads and has provided a

forum for sharing good practice, work undertaken across the region in preparation for the Care Act 2014, and the sharing of resources in response to other National developments such as Making Safeguarding Personal.

- 3.8 In 2014/2015 – the West Midlands safeguarding adults policy and procedure was updated to ensure it is compliant with the Care Act 2014 requirements, and Making Safeguarding Personal approach. This work was commenced in late 2014 as the Government published the Statutory Guidance in October 2014.

3.9 Development of Safeguarding Adults Learning and Development Strategy

- 4.0 A competence based training framework has been developed to make clear the expectations to the work force when responding to Safeguarding concerns. This is in accordance with the Care Act 2014 and Making Safeguarding Personal.

4.1 Deprivation of Liberty Safeguards

- 4.2 The Deprivation of Liberty Safeguards (DoLS) are designed to safeguard their human rights, and support people who do not have the mental capacity to decide where they live, or present a risk to themselves. The aim of the safeguards is to ensure Councils have a robust process in place for assessing and reviewing care regimes that people are exposed to, and to ensure any actions taken on behalf of a person are the least restrictive and are in their best interests.
- 4.3 The Council has appointed a coordinator for the DoLS/Mental Capacity Act.
- 4.4 In March 2014 the Supreme Court handed down a judgment in respect of the Deprivation of liberty Under which meant an adult (without Mental Capacity) is deemed to be deprived of their liberty if they are “*under continuous supervision and control and not free to leave.*” This has significantly reduced the threshold for the definition of a deprivation of liberty and this has led to a significant increase in the number requests and demand on locally available resources.

4.5 Serious Case Reviews

- 4.6 During 2014 – 2015 the Walsall Safeguarding Adults Board continued work on 2 serious case reviews of serious incidents which yet to report.
- 4.7 The aim of a serious case review is to identify if lessons can be learnt as a result of the actions (or omissions) by local partner agencies so that future safeguarding responses can be enhanced.

4.8 Aims for 2015 – 2016

The WSAB will focus on:

- 5.0 Ensuring that effective risk and performance reporting measures are in place
- 5.1 Securing an accurate dataset that enables the Board to identify current performance and future trends.
- 5.2 Ensuring the voice of service users and carers are heard by the board. This aim is to be assisted by the embedding of Making Safeguarding Personal.
- 5.3 Consolidating links to the Children's Safeguarding Board and exploring joint initiatives.
- 5.4 Seeking realistic funding for the Board's future activities
- 5.5 Raising awareness and promoting prevention of abuse and neglect.
- 5.6 Responding to the increased number of Deprivation of Liberty requests.