

**Name of Panel**  
**Health and Social Services**  
**Scrutiny and Performance Panel**

**Agenda**  
**Item No.**

**7**

**6<sup>th</sup> November 2014**

**Title of the Report:**  
**Walsall Safeguarding Adults Partnership Board Annual Report 2013 – 2014**

**Ward(s)**                      All

**Portfolios:**    Cllr Diane Coughlan - Social Care and Inclusion

**Executive Summary:**

The Walsall Safeguarding Adults Partnership Board (WSAPB) is pleased to present its second Annual Report to the Health and Social Services Scrutiny in the form of an Executive Summary, which details the key achievements, ongoing challenges and future ambitions of the multi agency partnership (the full report will be available on [www.wsapb.co.uk](http://www.wsapb.co.uk))

The WSAPB is responsible for setting a multi-agency vision and working arrangement for local Statutory and non Statutory agencies to work together to safeguard “**adults at risk**”. An adult at risk 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 WSAPB 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 WSAPB is undertaking a significant amount of local work to embed three key National developments that will 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 WSAPB will become a statutory board from April 2015 with enhanced safeguarding duties and the Local Authority will have enhanced lead duties to undertaken enquiries into allegations of abuse and neglect. Statutory partners will 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 WSAPB has an important role in safeguarding some of the most vulnerable victims of society, as many of the adults who experience abuse or neglect, 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 WSAPB 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 2012 – 2013, the WSAPB would also like Scrutiny to consider the role of locally elected members in safeguarding **“adults at risk of abuse”**.

#### **Recommendations:**

##### **That:**

1. *That the Panel endorses the Walsall Safeguarding Adults Partnership Board's Annual Report Summary document.*
2. *That the Panel notes an update report on the ongoing work being undertaken by the WSAPB and the Social Care and Inclusion Directorate in preparation for implementing the Care Act 2014.*
3. *That the Panel notes an update report on the ongoing work being undertaken by the WSAPB to embed **“Making Safeguarding Personal”**.*

#### **Background papers:**

The Walsall Safeguarding Adults Partnership Board summary version report is attached to this report.

#### **Resource and legal considerations:**

The WSAPB is in the process of working 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 WSAPB in this area of development.

**Citizen impact:**

The submission of the Annual Report will enable the WSAPB and Council to consider if current arrangements and future developments are effective in evidencing a robust safeguarding adults process, that can demonstrate positive outcomes for people who have experienced abuse or neglect.

**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 WSPAB 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 WSPAB annual report and summary report have 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 WSPAB in the year 2013 – 2014.

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## **1.1 Report**

- 1.2** The WSPAB are pleased to be presenting the second Safeguarding Adults Annual Report to Scrutiny. In this report we will revisit the key aims and achievements for 2013-2014, before focusing on the ambitions for the WSPAB in 2014-2015.

## **1.3 Key Aims of the WSAPB in 2013 – 2014**

- 1.4** The WSAPB had agreed a number of key developments that would enhance the local safeguarding adult's processes and responses, which included:
- 1.5** Implementing the planning process for the Board becoming a statutory body under the Health and Social Care legislation currently going through Parliament.
- 1.6** Preparing a Risk Register so that we are clear about the nature and level of the risks to vulnerable adults and the work of the Board, and can identify the necessary steps to reduce exposure.
- 1.7** Doing more to ensure the participation of service users and carers. A key role for the coming year will be to explore the approaches to hearing the voice of vulnerable adults.
- 1.8** Promoting attendance and participation at sub-groups, all partners carry a responsibility to be actively involved in the work of the Board
- 1.9** Developing a set of Key Performance Indicators for partner agencies
- 1.10** Continuing to explore ways to work on a regional and sub-regional basis

## **1.11 Key Achievements for the WSAPB in 2013 – 2014**

### **1.12 Preparation for Statutory Boards**

- 1.13** The WSPAB has undertaken a self audit of its form and function to identify areas of strength and future developments that are required in preparation for becoming a Statutory Board. This exercise will be reviewed following the appointment of a new Head of Services for Safeguarding Adults and preparation for Statutory Boards is a standing item at all Board meetings.
- 1.14** Going forward the independent chair will be writing to all partner agencies represented at the board to seek single agency assurance about the work being undertaken in preparation for new statutory duties.

### **1.15 Development of a WSAPB risk register**

- 1.16** The WSPAB has developed a risk register and through this exercise the following development needs have been identified.

- There is a lack of engagement or involvement with board by adults at risk and/or carers. We need to hear the voice of the user or advocate to influence our business plan.
- Learning from SCR and national and local enquires is poorly disseminated.
- Information sharing protocols are not embedded into partner agencies.

#### **1.17 Involving people who have experienced abuse or neglect in the WSAPB**

**1.18** The WSPAB has begun to explore opportunities for how to effectively engage people who have experienced abuse or neglect in a meaningful way. To date the Board has not been able to realise the ambition of having effective representation at the Board and further work is needed.

**1.19** The WSAPB hosted a number of events in response to World Elder Abuse Day and a number of additional events, all of which were aimed at raising the profile and public understanding of safeguarding adults.

**1.20** This has had a positive impact on the number of safeguarding alerts which have been received throughout this year, which evidence an upward trend across safeguarding adults activity.

**1.21** To support the WSAPB's ambition of enhancing the user and carer voice the Council have signed up to Cohort 2 of making safeguarding personal, which will enable the Council to provide evidence to the WSPAB around how it has supported people to achieve their individualised outcomes through the safeguarding process.

**1.22** 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.

#### **1.23 Ensuring effective attendance at sub groups of the Board**

**1.24** The WSAPB reviewed and updated the form of function of the main board and associated sub structures to deliver the local vision for safeguarding adults. This resulted in the WSAPB updating Terms of Reference and streamlining the number of sub structures to support the Board.

**1.25** This will be revisited throughout 2014 – 2015 at both a local and Regional level and will the WSAPB have agreed to host a developmental day in January 2015, to formalise future developments and work required to implement and embed new statutory duties from June 2015.

#### **1.26 Developing key performance indicators from all partner agencies**

**1.27** The Safeguarding Adults data sets have evidenced there has been an increased number of safeguarding adults alerts raised in Walsall during 2013 – 2014. The WSAPB anticipated this increase due to the significant work undertaken to raise the profile of safeguarding adults and it welcomes the fact people are more informed about what to do if they are concerned about a safeguarding adult

concern. It should be noted that safeguarding adults alerts have risen at a Regional and National level as awareness enhances.

- 1.28 During 2013-2014 Walsall received 1378 alerts (up from 582 in the previous reporting period) and accepted 423 of these as meeting the threshold for safeguarding intervention (up from 297 in the previous year).
- 1.29 When analysing the data we find that more women than men are experiencing abuse and that more people over the age of 65 are experiencing abuse. Caution should be applied to the meaning of this intelligence as we know that more women than men are living in the area of Walsall and that people's need for care and support are likely to increase as they get older.
- 1.30 When considering categories of abuse neglect and acts of omission continues to be the most prevalent area of concern, and more work needs to be done to understand the link between quality of service delivery, neglect and acts of omission.
- 1.31 A full and detailed breakdown of all safeguarding adults' activity is available on the WSAPB website.
- 1.32 Work is underway to develop a WSAPB dashboard / data set that will host multi agency intelligence relevant to the role and function of the WSAPB. This will enable the WSAPB to develop an understanding of developing patterns, themes and trends across the multi agency partnership.
- 1.33 **Exploring opportunities to develop Regional and sub Regional working practices.**
  - 1.33.1 The WSAPB continues to play an active Regional role through representation on the Regional Safeguarding Adults group. Over the last year a key task has been the development of an annual quality assurance statement that will be used by organisations to self audit how effectively safeguarding adults is embedded in their organisation. This is anticipated to be finalised and signed off in 2014-215.
- 1.34 The Regional Safeguarding Adults group 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.
- 1.35 A key requirement for this group in 2014 – 2015 will be to review and update the West Midlands safeguarding adults policy and procedure to ensure it is compliant with the Care Act 2014 requirements, and Making Safeguarding Personal approach.
- 1.36 This work will commence late 2014, as the Government are not expected to publish the Statutory Guidance until October 2014.
- 1.37 The group will also continue to explore opportunities for service efficiencies and an example of this will be the potential for a Regional learning and development sub group to support the West Midlands procedures.

### **1.38 Deprivation of Liberty Safeguards**

- 1.39** 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 on their best interests.
- 1.40** In 2013 – 2014 Walsall undertook 44 assessments' under the DoLS and this is considered to be a low number for the population size. It should be noted that the implementation of the DoLS has been inconsistent at a National level and it is recognised that additional work is required to raise the profile locally.
- 1.41** The Council intends to appoint a coordinator for the Mental Capacity Act and DoLS who will be responsible for raising the local profile.
- 1.42** 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 is expected to significantly increase the number requests and demand on locally available resources.

### **1.43 Serious Case Reviews**

- 1.44** During 2013 – 2014 the Walsall Safeguarding Adults Board commissioned 2 serious case reviews of serious incidents which yet to report, one of which will also fulfil the requirements of a domestic homicide review.
- 1.45** 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.
- 1.46** At this time the WSAPB is not in a position to provide summary of the lessons learned, which will be incorporated into the Board's development of practice and training in due course.

### **1.47 Aims for 2014 – 2015**

- 1.48** The WSAPB will focus on preparation for statutory status by:
- 1.49** Ensuring that effective risk and performance reporting measures are in place
- 1.50** Securing an accurate dataset that enables the Board to identify current performance and future trends
- 1.51** Ensuring the voice of service users and carers are heard by the board

- 1.52** Consolidating links to the Children's Safeguarding Board and exploring joint initiatives
- 1.53** Seeking realistic funding for the Board's future activities
- 1.54** Raising awareness and promoting prevention of abuse and neglect

# ANNUAL REPORT

*Summary version*



## Walsall Safeguarding Adults Partnership Board

April 2013 - March 2014







# Forward

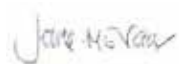
**I am delighted to support the production of the second annual report. Its purpose is to examine the work of the Walsall Safeguarding Adults Partnership Board, from April 2013 – March 2014.**

During this time, the strengthening of partnership working has continued both on a local and regional level. This has included reaching agreement on an updated terms of reference for the members of the board, thereby setting out the need for accountability amongst partner agencies. This development work, I believe, has been welcomed by all concerned. Also, the WSAPB has sought to develop its abilities in regard to performance management capabilities and to analyse the available sources of data to assist with achieving future aims and objectives. We have also worked to redefine the sub groups and identification of work streams to assist the Board in making informed decisions.

It is also recognised that all agencies continue to face the challenge of working during a time of change and demands on staff and budget capability. The Police Commissioner has been invited to attend the WSAPB meeting and we have further developed our links with Children's Services in Walsall to ensure that a partnership approach is forged which serves to tackle all forms of abuse from a child to an adult. A further important aspect has been to encourage service user involvement and feedback from those who have potential to face or suffer from abuse.

The WSAPB also has responsibility for monitoring the performance of the work of the Deprivation of Liberties Team based within Walsall Council. This work has further been reinforced by the Cheshire West judgment to recognise the importance of Deprivation of Liberty referrals from the community alongside those generated by the care homes and hospitals.

Since the first annual WSAPB report, there have been two further serious case reviews which are focusing on service users' concerns. Partnership agencies in Walsall have been involved in considering the issues raised and board members will continue to develop their level of scrutiny to ensure that people are aware that abuse in any form is not acceptable in the community of Walsall.



**Jane M Evans**

*Independent Chair, Walsall Safeguarding Adults Partnership Board*

# What is the purpose of the Walsall Safeguarding Adults Partnership Board?

**During 2013/14, the Walsall Safeguarding Adults Partnership Board (WSAPB) has been preparing for the implementation of the Care Act 2014, especially the new duties in safeguarding adults, together with the continued recognition of the duties and responsibilities of the Mental Capacity Act 2005 and Deprivation of Liberty Safeguard Standards. This work has contributed to the development of knowledge and the profile of Safeguarding Adults in Walsall.**

It is of vital importance that agencies on a local, regional and national level have continued to develop strong partnerships. The purpose is to work together collectively to ensure that the voice of adults at risk is heard and that outcomes are centred on their wishes. The support that carers, families and loved ones are able to provide should also be recognised.

This Annual Report focuses on how the Board will be assured that adults at risk will be supported by the respective agencies to tackle abuse or neglect. This is based on constructive learning process from the past, the monitoring of current activity and most importantly having ambitions for the future to prevent as well as tackle safeguarding issues.

The aim is for people of Walsall to carry out their daily activities whilst living without fear of abuse or neglect.

A handwritten signature in dark ink, reading 'Keith Skerman'.

**Keith Skerman**

Interim Director, Social Care and Inclusion

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# Background

**Significant national developments have impacted on safeguarding adults during the past year, not least the Care Act 2014 that places the Safeguarding of Vulnerable Adults on a statutory footing and Children and Families Act 2014 that requires much closer working between Adults and Children's services around disabled children and their families. Ensuring a safe transition from childhood into adulthood is one of the objectives of this Board, so we welcome this legislation.**

The Better Care Fund requires integrated working between health and social care; this will bring about major changes in the delivery of services. In some situations, people will be able to choose personal budgets for both health and social care needs.

Continued publicity and investigative journalism has maintained the rise in public awareness of the abuse experienced by vulnerable adults and the new legislation has consolidated this. Local work to raise awareness has continued and is reflected in the increase in referrals of vulnerable adults during the year.

Safeguarding vulnerable adults in Walsall is part of the overarching agenda to improve health and well being, so the sharing information between partners supports the Board to assure itself that the safeguarding of vulnerable adults is co-ordinated and effective.

In last year's Annual Report, we identified some of the tasks that lay ahead:

- ▶ Implementing the planning process for the Board becoming a statutory body under the Health and Social Care legislation currently going through Parliament.
- ▶ Preparing a Risk Register so that we are clear about the nature and level of the risks to vulnerable adults and the work of the Board, and can identify the necessary steps to reduce exposure.
- ▶ Doing more to ensure the participation of service users and carers. A key role for the coming year will be to explore the approaches to hearing the voice of vulnerable adults.
- ▶ Promoting attendance and participation at sub-groups, all partners carry a responsibility to be actively involved in the work of the Board
- ▶ Developing a set of Key Performance Indicators for partner agencies
- ▶ Continuing to explore ways to work on a regional and sub-regional basis

Some of our objectives have been achieved and others still have some way to go. As partner agencies all cope with the reductions in public spending, it has not always been possible for resources to be made available as they have been previously. Some creative and innovative thinking will be needed to find efficient ways of working together.

# Activity

## Board Activity

During the past year, the Board has begun to develop plans for the implementation of the Care Act 2014 and will need to work closely with all partners to ensure that the Board is ready to assume statutory status.

The Board has worked with regional partners in a coherent approach to managing risks and a Risk Register has been developed and populated.

There has been an attempt to develop a regional quality and performance group across the Black Country, but, unfortunately this simply proved to be duplication as not all Boards gave up their individual groups. This will not be continued, but there are plans to develop a Learning and Development group across the Black Country and this may have more success. The Board's sub groups have merged in an attempt to rationalise the use of resources and the commitment required of sub group members.

Further work needs to be done to effectively involve service users and carers in the work of the Board, and this will be a priority for the coming year.

A Quality Assurance document is being finalised so that all partners have the opportunity to evidence the work they are doing around Safeguarding Adults and the Board can be confident that there is an effective framework of support, prevention and protection available across the Borough. Multi agency case file audits are undertaken by the Quality and Performance sub group to identify any areas of learning to benefit partners.

Work is underway on developing a dataset/dashboard to monitor key assurance information and trends for future developments.

Relevant events such as World Elder Abuse Day were marked across the Borough with the support of partners such as Trading Standards, Age UK Walsall and Walsall Manor Hospital. These activities, along with ongoing awareness raising through 53 presentations to local community groups, the distribution of leaflets and the promotion of the website have all helped to raise the profile of safeguarding adults in Walsall.

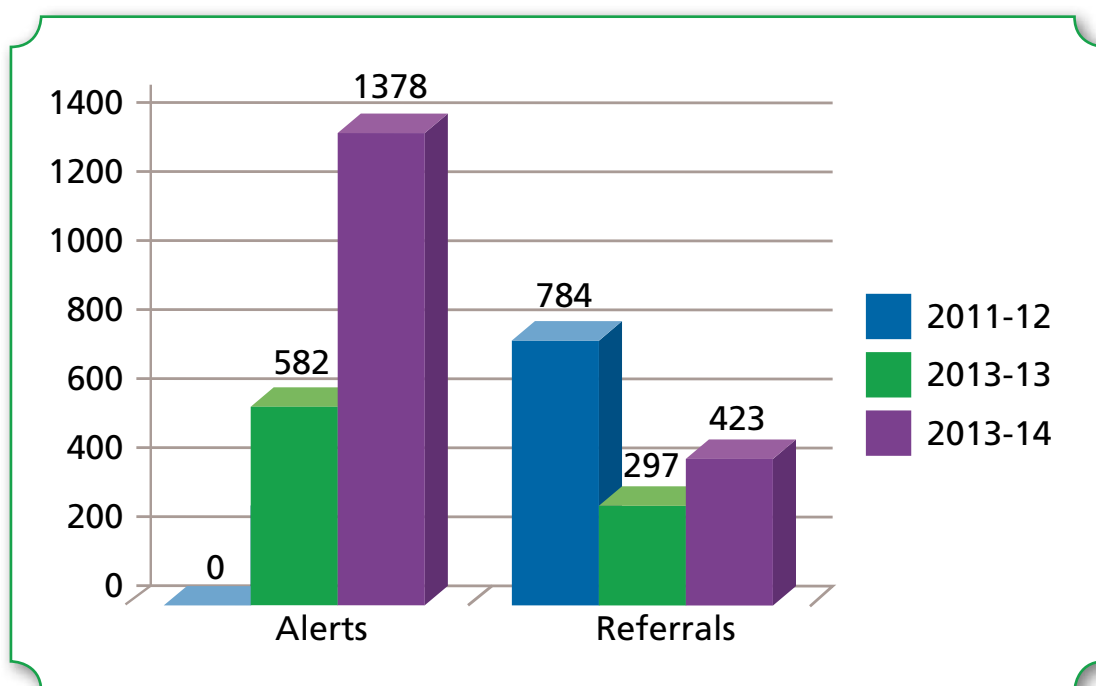
During 2013 /2014 nine Safeguarding Adults Awareness Courses and seven Safeguarding Adults Refresher courses were held. In addition there were 4 half day workshops for nursing and residential care home managers in October 2013 which were attended by 54 managers attended. Detailed information about courses and numbers attending are in the appendices to this report on the Board's website.

Two Serious Case Reviews, one of which is being conducted in parallel with a Domestic Homicide Review, are currently being undertaken and the learning will be published later in 2014.

## Safeguarding Activity

1378 safeguarding alerts were received between the 1st April 2013 – 31st March 2014. This resulted in 423 safeguarding referrals being progressed to investigation and being completed by the end of the year.

In 2012-13 there were 297 referrals but these were collected under a different criteria for the reporting of referrals (up to the 30th September 2012), so comparisons are difficult.



Our figures have identified that the highest proportion of referrals is about people with a physical disability and those who are over 65. Women are also more likely to be abused than men. This is reflected in the national picture.

The most frequent reported abuse is neglect, closely followed by physical abuse and financial abuse. People are more likely to be abused in their own home by someone known to them than in residential care.

A detailed breakdown of the figures in relation to the numbers and types of referrals dealt with during the year is available in the appendices to this report on the website.

## **Mental Capacity Act and Deprivation of Liberty Safeguards**

During the year, there have been 44 assessments under the Deprivation of Liberty Safeguards. This is relatively low in relation to other authorities in the region, but more work is planned to raise awareness among providers about the need to consider Deprivation of Liberty in respect of people who lack capacity.

There has been continuing work in updating the training of Best interest Assessors and understanding of the Mental Capacity Act is now included in induction training for many partners.

Just before the end of the year, the Supreme Court Judgement in respect of Cheshire West and P&Q has caused a significant shift in the criteria used to make Best Interest decisions and this will result in a major increase in workload. The Board will continue to monitor the impact of this decision in Walsall and seek assurance that statutory duties are being met and vulnerable adults are protected.

## **Domestic Abuse**

The Board has continued to work alongside the Safer Walsall Partnership in responding to Domestic Abuse among vulnerable adults. The Safeguarding Adults Unit receive copies of all the police domestic abuse incident logs on a daily basis. In 2013/14 there were just over 3,000. Every log is checked to see if the victim or perpetrator is known to adult services. The Board continues to have links to the Domestic Abuse Strategy Group and the Dart/Marac steering group and receives regular updates.

## Partner Updates

This report includes references to the work of the past year by all members of the Walsall Safeguarding Adults Board towards achieving these objectives. All members have been asked to provide information for the WSAPB Annual Report.

Partner agencies internet links can be located on the Safeguarding Board website:

[www.wsapb.co.uk](http://www.wsapb.co.uk)



# Ambitions

**Over the next year, the Board will focus on preparation for statutory status by :**

- ▶ ensuring that effective risk and performance reporting measures are in place
- ▶ securing an accurate dataset that enables the Board to identify current performance and future trends
- ▶ the voice of service users and carers are heard by the board
- ▶ consolidating links to the Children's Safeguarding Board and exploring joint initiatives
- ▶ seeking realistic funding for the Board's future activities



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