

## HAMPSHIRE COUNTY COUNCIL

### Report

<b>Committee:</b>	Safe and Healthy People Select Committee
<b>Date of meeting:</b>	22 November 2013
<b>Report Title:</b>	Adult Services – Safeguarding Adults
<b>Reference:</b>	5384
<b>Report From:</b>	Director of Adult Services

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#### 1. Purpose of Report

- 1.1 The purpose of the report is to update the Select Committee on developments within Adult Services in relation to adult safeguarding.

#### 2. Contextual Information

- 2.1 Hampshire County Council Adult Services approach to safeguarding is defined by the 'No Secrets' guidance (Department of Health 2000), which is issued under Section 7 of the Local Authority and Social Services Act 1970. This guidance places a duty of partnership on statutory health and social care organisations to work together to put in place services which act to prevent abuse of vulnerable adults, provide assessment and investigation of abuse and ensure people are given an opportunity to access justice.
- 2.2 The 'No Secrets' guidance gives the Local Authority a leadership and co-ordination role to ensure that all those who provide services for our citizens work together to address the safeguarding agenda in Hampshire and this is fully recognised as a corporate responsibility. Adult Services are working closely with external partners through the Hampshire Safeguarding Adults Board (HSAB).
- 2.3 Scrutiny of adult safeguarding is provided through bi-annual presentations to the Safe and Healthy People Select Committee. In addition, adult safeguarding is also considered at the Health and Wellbeing Partnership Board to ensure that all strategic agendas are aligned to meet the identified needs of the Hampshire population.

### **3. The National Picture**

- 3.1 The Care Bill is currently moving through Parliament and it is expected to come into law in 2015. This legislation will put Safeguarding Adults Boards on to a statutory basis, place a duty of co-operation upon multi-agency partners and require the boards to undertake Safeguarding Adults Reviews (Serious Case Reviews). The Care Bill reinforces the lead agency role for local authorities and names the Police and NHS Commissioners as key partner agencies. It also enables a Board to be set up on behalf of one or more local authorities
- 3.2 The National Abuse of Vulnerable Adults (AVA) data return is changing after 2013/14 to become the statutory Safeguarding Adults Return (SAR). The data required for submission will retain many of the elements of the previous return in respect to the type of abuse, location and who is referring the incident. Where the return will differ is in respect of the reported outcomes for closed safeguarding cases identifying for example, where the action has led to a conviction or increased monitoring has been delivered. There will be more focus on feedback from individuals who have been through the safeguarding process, gathered through the Adult Social Care Outcomes Framework (ASCOF).
- 3.3 The ASCOF was introduced in 2011/12 by the Department of Health to measure outcomes for people using social care services. Within this framework at Domain 4, is a requirement to collect data from people who have been through safeguarding processes, identifying whether they “feel safe” as a result. In order to address this, the Adult Service Department is currently participating in a national pilot – Making Safeguarding Personal - to test different approaches to gathering this data. The pilot will complete in February 2014 and a national decision will be made in September 2014 as about requirements relating to this Domain.

### **4. The Local Picture**

- 4.1 The Terms of Inclusion (contract) between Hampshire County Council and care home providers has been updated to ensure that the Adult Services Department quality monitoring process is explicitly included and tied to contract arrangements. This will ensure that providers are very clear regarding expectations in relation to quality and actions in response to safeguarding issues. The Terms of Inclusion document is currently out for consultation with providers.
- 4.2 An updated Safeguarding Policy and Procedure has been produced, led by Hampshire County Council, in conjunction with the other three local authorities in Hampshire and the Isle of Wight, the Police and NHS commissioners. The document was launched in July 2013.
- 4.3 A number of sub-groups have now been established in order to carry out the work of the HSAB and the chairs have come from partnership agencies, predominantly clinical commissioning groups. A part-time Board Manager has been appointed for the HSAB and will work alongside the Independent Chair.

- 4.4 A decision was reached by the HSAB to postpone the production of the Annual Report for 2012/13 due to the level of change in the structure and membership that the Board has undergone. The report will be produced in June 2014 and will cover a two year period – 2012-14. This report, in line with the proposals in the Care Bill, will be discussed and agreed with Healthwatch, in advance of publication and will incorporate the strategic plan for the coming year.
- 4.5 Adult Services has been working as part of the Children’s Services project to develop a Multi Agency Safeguarding Hub (MASH) in Hampshire. This development has the potential to deliver significant improvements in safeguarding, through timely, multi-agency information sharing, more consistency of decision making at the early stages of cases, the ability to respond to a greater number of safeguarding referrals within existing resources and a faster immediate response to reports of abuse. Adult Services is on target to be part of the MASH when it is launched at the end of January 2014.
- 4.6 During 2013/14 the HSAB has had a focus on fire deaths of vulnerable adults as 80% of fire deaths involve people who are known to health and social care services.

Work has been undertaken through this year to achieve a number of developments, including;

- Changes to Adult Services department consent to share forms to allow social workers to refer people who live in conditions that may present a fire hazard, to the Hampshire Fire and Rescue Service
- Contact with those existing service users deemed most vulnerable, to offer a fire hazard check
- Domiciliary Care Agencies and Adult Services department community reablement staff have been provided with fire safety training and can make referrals in to Fire and Rescue on behalf of service users

## **5. Performance**

- 5.1 Performance information is a standard item on the HSAB agenda and a copy of the performance report presented at the September Board is below. This report outlines the consideration of the AVA Data for 2012-13 which was highlighted to the committee in its initial form, in June 2013.
- [Hampshire Safeguarding Adults Board \(HSAB\) 10 09 13 Item 4b 2012-13 Abuse of Vulnerable Adults \(AVA\) Initial Report \(HF000005294566\)](#)
- 5.2 This report outlines the initial consideration of the AVA data (national return) for 2012-13. This data shows that referrals per 100,000 population are in line with our Chartered Institute of Public Finance and Accountancy (CIPFA) comparator average.
- 5.3 The overall the number of safeguarding referrals (contacts that are progressed and followed up) was 2,516, up from 2,145 in 2011/12.

- 5.4 In 2011/12, the national figure for safeguarding referrals in the mental health client group was 24%, however in Hampshire this figure was only 13%. Following extensive work with the Mental Health Trusts during 2012/13, particularly in respect to additional training around recording, Hampshire's figure rose to 18% and it is anticipated that this will increase further for 2013/14.
- 5.5 Overall, neglect has overtaken physical abuse as the most frequent type of abuse, accounting for 35% of referrals. Physical abuse has decreased from 34% to 30%. Financial abuse is the next most frequent type of abuse (17%) followed by emotional/psychological abuse (9%). For people over 65, neglect was the most common type of abuse and for people under 65, physical abuse is the most prevalent.
- 5.6 Due to greater levels of awareness amongst the public and staff and a focus on quality within the Department, Adult Services has seen an increase in institutional abuse cases (where the routines or regimes of an institution result in poor or inadequate standards of care). This work is very resource intensive and includes close work with the Care Quality Commission, Police and NHS commissioners. At the beginning of October, there were 12 care homes subject to institutional safeguarding process, however to put this into context, this equates to 0.1% of the total care homes commissioned by the Department.
- 5.7 Deprivation of Liberty Safeguards (DOLS) provide a legal framework under the Mental Capacity Act for accommodating people, who lack mental capacity to consent to it, in hospitals or registered care homes to receive care or treatment. DOLS may be required when the person needs such restrictions to their freedom that they are not free to leave and are legally deprived of their liberty /effectively detained to prevent them coming to harm. Hospitals and registered care homes act as Managing Authorities and from 1/4/13, Hampshire County Council is the Supervisory Body for both social care and health DOLS referrals (prior to NHS reorganisation, Hampshire County Council were only responsible for social care referrals). This responsibility incorporates scrutiny of the referral and signature which will deprive an individual of their liberty for a fixed period of time as prescribed by the Best Interests Assessor who has undertaken the assessment.
- 5.8 DOLS applications continue to rise steadily and the percentage of applications authorised in Hampshire has remained steady between 50-60%. The most significant increase has been in the understanding and use of DOLS in acute hospitals and the number of inappropriate applications is decreasing due to training and support provided by the Adult Services Department Mental Capacity Act team.

## **6.0 Conclusion**

- 6.1 In conclusion, Hampshire County Council Adult Services is currently undertaking a significant amount of work with partner agencies in the area

of adult safeguarding in order to ensure that our responses are appropriate and meet the needs of service users both now and into the future.

- 6.2 Hampshire County Council is taking a lead role in this work and Adult Services will continue to maintain investment in this core area of business to ensure delivery of its statutory responsibilities.

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

Document

Location

Safeguarding Adults Policy 2013

<http://www3.hants.gov.uk/adult-services/carechoice/protection-from-abuse/safeguarding-board.htm>

## **IMPACT ASSESSMENTS:**

### **1. Equalities Impact Assessment:**

- 1.1. The approach taken is offer services equally to all. An equality impact assessment has been completed and is published on Hampshire County Council website.

<http://www3.hants.gov.uk/as-equality-ia-archive.htm>

### **2. Impact on Crime and Disorder:**

- 2.1 The Department works closely with the Hampshire Constabulary in delivery of the adult safeguarding agenda.

### **3. Climate Change:**

- 2.1. How does what is being proposed impact on our carbon footprint / energy consumption?

At present, there is no impact on Hampshire County Council carbon footprint or energy consumption.

- 2.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

There is no impact on the need to adapt to climate change.