

SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE

Date of Meeting	Thursday, 16 November 2017
Report Subject	Safeguarding Adults and Children
Cabinet Member	Cabinet Member for Social Services
Report Author	Chief Officer (Social Services)
Type of Report	Strategic

EXECUTIVE SUMMARY

To provide members with information in relation to the joint Adults and Children's Safeguarding provision within the county boundaries

In line with the Council's strategy for developing a systematic Performance Management Framework, Social Services routinely collate safeguarding activity for all aspects of safeguarding. This report is to inform Members of key statistical and performance related information about children and adults at risk for whom the Authority has significant safeguarding responsibilities.

This report is also to highlight the variety of work covered by the Safeguarding Unit and the activity it undertakes.

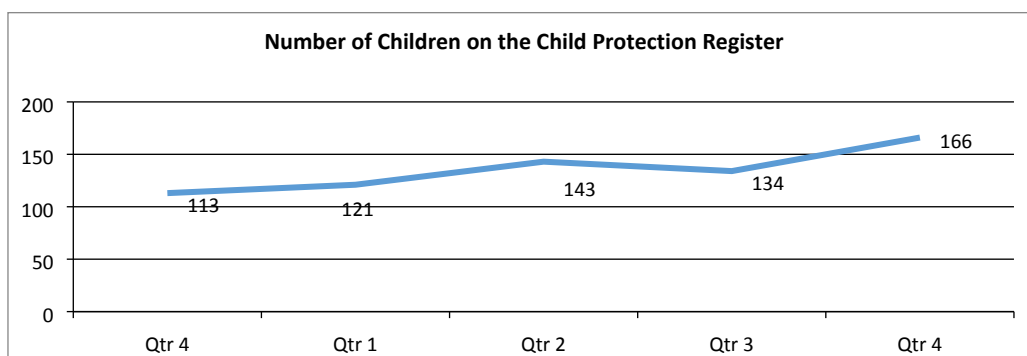
RECOMMENDATIONS

1	That Members accept this report as relevant information in relation to the Flintshire Safeguarding Unit for the period 1 st April 2016 to 31 st March 2017
2	That Members note additional data available from 1 st April 2017 to 31 st October 2017 for the Safeguarding Unit
3	That members take due regard to the increase in activity across all parts of the Safeguarding Unit

REPORT DETAILS

1.00	EXPLAINING THE SAFEGUARDING UNIT REPORT APRIL 2016 – MARCH 2017
1.01	BACKGROUND
1.02	<p>The Flintshire Safeguarding Unit has been an amalgamated team since early 2016. The post of Safeguarding Unit Manager was created last year to oversee all aspects of the unit which compromise:</p> <ul style="list-style-type: none"> • Child Protection • Adult Protection • Adults at Risk • Deprivation of Liberty Safeguards (DOLS) • Looked After Children (LAC)
1.03	<p>The Safeguarding Unit Manager reports directly to the Senior Manager Safeguarding and Commissioning. The full establishment of the team is 21 people. The Unit is based in Flint and has close working relationships with both Adults and Children’s Social Services as well as with other key partner agencies both locally and regionally.</p>
1.04	<p><u>Children’s Safeguarding – Child Protection Register</u> The purpose of the Child Protection Register (CPR) is to keep a confidential list of all children in the local area who have been identified as being at risk of significant harm. The register:</p> <ul style="list-style-type: none"> • Allows authorised individuals in social work, education, health, police and other partner agencies to check if a child they are working with is known to be at risk • Allows Children’s Safeguarding Managers to ensure that the child protection plans are formally reviewed in accordance with the All Wales Child Protection Procedures 2008
1.05	<p><u>Numbers on the Register</u> The numbers on the register naturally fluctuate as either cases have progressed and the risk reduced and the child therefore removed from the register, or the risk has increased and the child has been taken into care. The Safeguarding Unit have no control over the number of referrals coming through First Contact nor do they have any influence over cases that are brought to conference.</p> <p>As was reported last year, there has been a steady increase in line with national fluctuations. However we are now showing a stabilisation at this trend as cases move towards care and support plans on a voluntary basis, close completely due to a reduction in risk or at the other end of the risk spectrum, move into looked after children processes.</p> <p>By the end of March 2017 there were 166 children on the register. Current</p>

figures for the end of October 2017 are **138** Flintshire Children on the register, 8 of whom are unborn children. There are 17 temporary registrations making a total of **155** children on the register at the present time.



We are now experiencing a downward trend in numbers being added to the register, although the total numbers on the register remain historically high at 155.

1.06

Categories of Risk

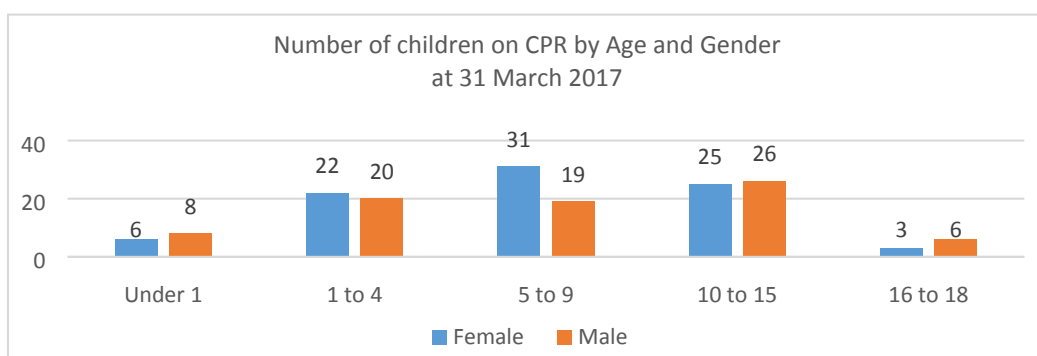
The current breakdown of 155 children shows the highest categories for physical and emotional abuse, or emotional abuse alone. Such categories are usually linked to the increase in reported incidents of Domestic Abuse. The next highest category is Neglect. Our lowest number is risk of Sexual Harm showing only 4 at the present time with another 7 combined with either Emotional Abuse or Neglect.

The majority of cases in Flintshire were previously neglect, while emotional abuse is now more prevalent. However, emotional abuse is considered to be implicit in all types of abuse, and therefore the emotional abuse category will only be used where there is no other abuse indicated. There are currently 35 children registered for emotional abuse only.

1.07

Age and Gender

For the period April 2016 – March 2017 the majority of children are registered between the ages of 5 and 15 with the lowest number being in the younger age range and the higher teenage range. Flintshire continue to register under multiple categories in line with guidance, allowing us to reflect the true risk.



1.08

Length of Time on the Register

Children on the register are reviewed in line with the All Wales Child Protection Procedures 2008 – at 3 months and then every 6 months.

Children on the Register reaching their third review are automatically reviewed under the Court and Public Law Outline and are subject to a legal advice meeting to identify whether cases need to move into proceedings.

The Children’s Safeguarding Managers undertake regular reviews of cases that have been on the child protection register for twelve months or more, and report the findings to Senior Managers. This process provides an additional layer of oversight to ensure children are not on the register longer than necessary. On 31st October there were 6 Flintshire families who had been on the register for over 12 months, the longest being 18 months. This case was rightly challenged by the Chair in a case conference in August 2017, moved into a Legal Advice Meeting and then into PLO processes where the family remain, a good example of the effectiveness of the Safeguarding Managers as chairs.

1.09

Number of Child Protection Conferences Held

The breakdown for the number of conferences held in the period is given below. Two safeguarding managers chair up to 8 conferences per week. Initial case conferences have to be convened within 15 working days of the decision to hold a case conference. Reviews have to be held within 3 months of the initial meetings and every 6 months thereafter.

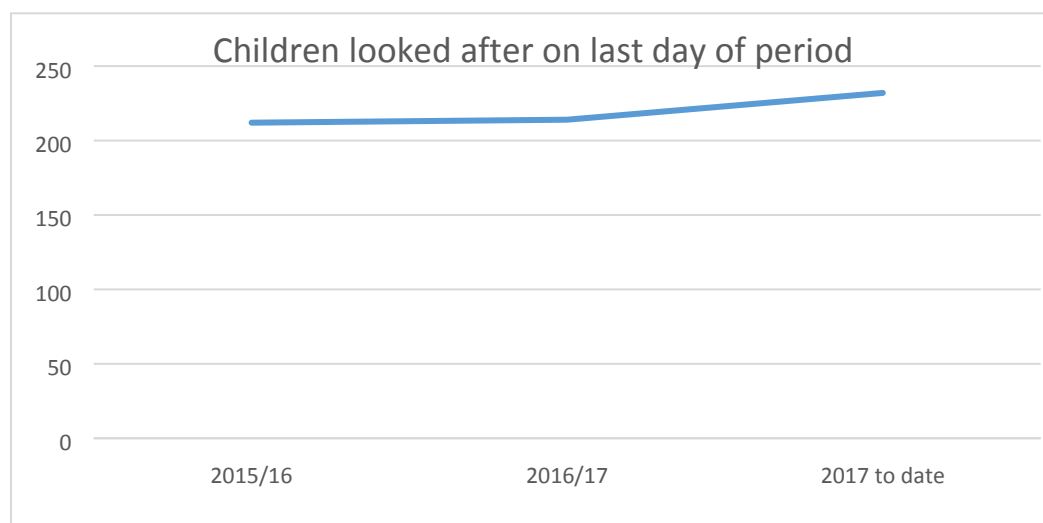
In Flintshire, from April 2016 – March 2017, 86.3% of initial child protection conferences and 99.2% of reviews were carried out within the statutory timescales. A 30% increase in requests for initial conferences during the year impacted on the ability of the Safeguarding managers to schedule conferences with timescales.



Current figures for Q4 are showing initial conferences 98% in timescales and reviews 100% in timescales.

	<p>It is occasionally necessary to reschedule conferences, for reasons outside of the control of the Safeguarding Manager. All narrative is collated to offer feedback to Quality and Performance frameworks. Late conferences can be due to a number of factors such as in the best interests of the child or family, family non-cooperation or lateness of essential reports. The final decision rests with the Chair and any conferences that have to go outside timescales are agreed with the Service Manager for Safeguarding and Children's Services. In the interim, Children's Services ensure immediate safeguarding issues are managed with partner agencies.</p>
1.10	<p><u>Pre-birth Conferences</u></p> <p>There has recently been an increase in case conferences for unborn children. These increases cannot be quantified. Flintshire arrange conferences for unborn children in line with All Wales Child Protection Procedures guidance, i.e. between 24 – 32 weeks gestation, whilst they undertake assessments. This gives the Social Worker a timescale to work towards rather than bringing the mother into conference late into her pregnancy. There are currently 8 unborn children on the Child Protection Register. The Regional Safeguarding Children's Board has recently launched a Multi-Agency Pre-Birth Pathway document to better identify those babies most at risk and promote more effective sharing of information between agencies. It promotes early referrals into Children's Services so that agencies can work together to safeguard the unborn child where necessary.</p>
1.11	<p><u>Looked After Children - Numbers of Looked After Children</u></p> <p>Despite increases in the numbers on the Child Protection Register the number of Looked After Children in Flintshire has remained steady only showing slight increases over the past 12 – 18 months. At the end of October 2017 there were 231 children looked after by the Local Authority.</p> <p>Between 1st April 2016 and 31st March 2017 59 Children started to be Looked After, 75 Children moved placement and 68 Children have left care. Since April 2017, 52 children have come into care, 55 have moved placement and 34 children have left care.</p> <p>Children can leave care for a number of reasons, either going home to their families, becoming adopted or reaching the age of 18 where they no longer need to be reviewed under looked after procedures.</p> <p>Children can receive support and services up to the age of 19 from transition services. Young people are also supported through Pathway Plans up until they are 24 should they need this input.</p> <p>There are a number of reasons why a child may move placements and they are not always negative reasons. On occasions children may have their complex needs met at a different establishment or within a different family. IROs are consulted if Care Plans are to change and they are also expected to comment on final Care Plans before they are presented to a Court.</p>

If a placement breaks down, a Disruption meeting is convened chaired by an internal but independent chair. The meeting will look at the circumstances that led up to the placement breakdown to determine whether any lessons can be learned.



Current guidance indicates that children should have one plan. Both the Children’s Safeguarding Managers and the Independent Reviewing Officers (IROs) communicate well within the unit when cases cross over from CP to LAC.

IROs attend National All Wales meetings to keep abreast of current trends and legislation. They are also represented on the Flintshire Children’s Forum where issues pertinent to LAC are discussed along with responsibilities for Corporate Parents.

1.12

Deprivation of Liberty Safeguarding (DOLS)

The Safeguarding Unit also manages Flintshire’s application of the Deprivation of Liberty Safeguards (DOLS). The Safeguards were introduced in April 2009 to provide legal protection for vulnerable people who are in care homes or hospital and who lack the mental capacity to consent to be in the care setting.

Deprivations of Liberty in Flintshire care homes are assessed by a Best Interests Assessor (BIA), with a mental health and mental capacity assessment carried out by a doctor who is qualified under Section 12 of the Mental Health Act 1983.

In March, 2014 the Supreme Court gave a ruling which greatly widened the scope of Deprivation of Liberty Safeguards. The new ruling means that anyone in a care home is being deprived of their liberty if they:

- lack mental capacity to agree to live in the care home and
- are under continuous supervision and control and
- would be prevented from leaving the care home if they were to try to do so

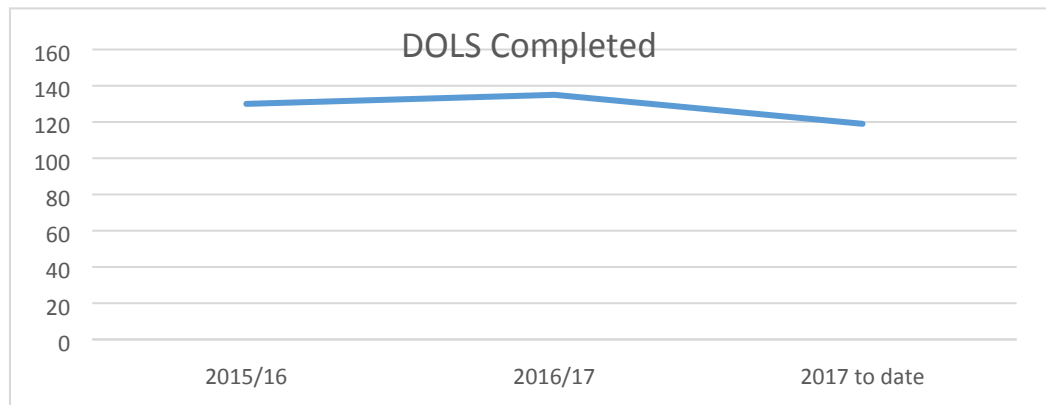
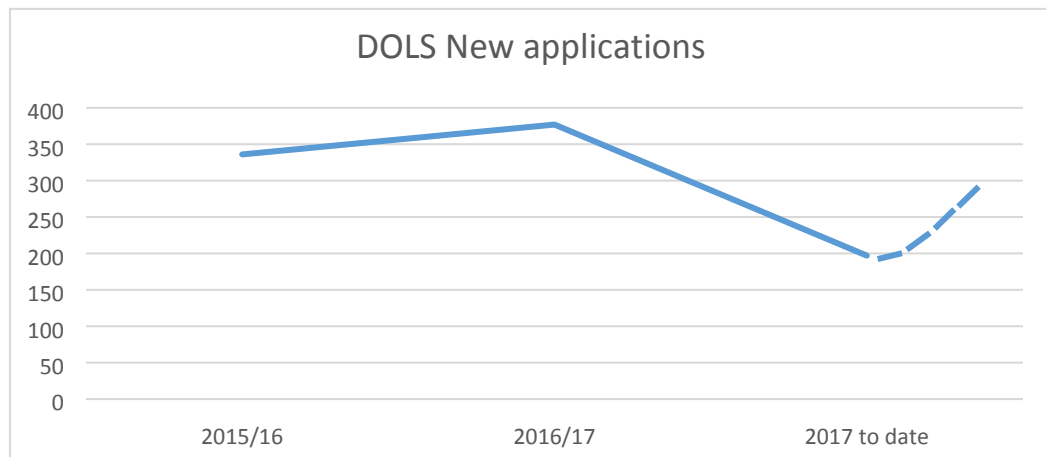
1.13

Flintshire County Council have a dedicated DOLS team which comprises

two BIAs and one Senior Practitioner. Due to the substantial increase in applications following the Cheshire West ruling, much of the past 18 months has been spent managing the peak of applications that came in 2015/16. .

In 2013 – 2014, 13 applications were received. In 2014 – 2015, 255 applications were received. The chart below shows that applications for the period in review, April 2016 – March 2017 were 377. Since April 2017 we have received 204 applications.

Although the chart below shows a decrease in applications it should be noted that this is over half a year to date and current figures indicate we may exceed the figure for last year.



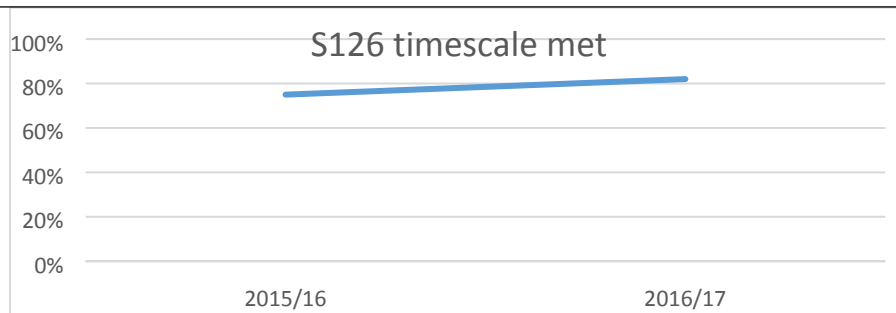
Current guidance available nationally indicates that it can take approximately 12 hours to complete a DOLS assessment from point of allocation to authorisation by the Supervisory Body. The Supervisory Body is the Local Authority and is represented by a nominated individual within the Safeguarding Unit currently an Adult Safeguarding Manager.

The BIAs have to undertake assessments on individuals resident or ordinarily resident within Flintshire. This means some of their work takes them out of county, visiting and assessing individuals in other counties, for whom Flintshire has responsibility.

1.14

The DOLS team make every effort to review cases due to reach the end of their authorisation period in order to keep legal and medical costs down. At

	<p>the end of October 2017 there were 40 authorisations due to expire. These will need to be prioritised. 121 assessments have been completed since April 2017.</p> <p>Nationally all Local Authorities are struggling to keep up the demands for DOLS assessments. Three of the North Wales Local Authorities have much higher waiting lists than Flintshire.</p> <p>The DOLS team are currently working with Legal Services to devise guidance to support Adult Locality Teams processing Appeals against Deprivation of Liberty Safeguards which are heard in the Court of Protection. These appear to be on the increase and will add to already stretched resources within Social Services.</p>
1.15	<p><u>Adult Safeguarding and Adults at Risk</u></p> <p>The Adult Safeguarding team within the Safeguarding Unit has a duty to ensure there are effective arrangements in place to identify adult abuse and respond accordingly. Since the implementation of the Social Services and Well-Being Act (Wales) 2014 (SSWBA) in April 2016, adult safeguarding has been in transition. The new act requires Safeguarding Leads to screen all reports of adults at risk and make enquiries under s126 SSWBA to determine if the individual is at risk of abuse. This determination has to be made within 7 days of the report being received.</p>
1.16	<p>All Adult Safeguarding reports are received by the First Contact team based at Preswylfa. They are then input onto the client information system (PARIS) and passed to the Safeguarding Team to process and screen. The adult safeguarding lead then determines who is to take the lead in making enquiries or makes a decision to convene a strategy meeting to discuss the alleged abuse.</p>
1.17	<p>The chart below shows that the s126 timescale has been met in over 80% of cases and is continuing on an upward trajectory. Reasons for the timescale not being met are often when safeguarding leads are waiting for partner agency information to come to the unit, particularly the outcome of police investigations.</p> <p>North Wales Police moved towards a Central Referral Unit in the Summer to bring consistency of decision making across the region, however, both Children and Adult Services have had difficulties making contact with Police through this Unit and obtaining relevant information in a timely manner. This has been flagged on a number of occasions.</p>



1.18	<p><u>Adult Safeguarding Referrals</u></p> <p>From 1st April 2016 – 31st March 2017, 440 safeguarding reports were received by the Safeguarding Unit. 84% were deemed appropriate referrals of these, 56% were determined not to have met the threshold for adult safeguarding processes to be applied.</p> <p>From 1st April 2017 – 31st October 2017, 317 safeguarding reports have been received which suggests the Safeguarding Unit may process a higher number of referrals than last year. Only 65% were deemed appropriate and 43% did not meet the safeguarding threshold.</p>
1.19	<p>The First Contact team in Flintshire does not screen any referral made on an Adult Safeguarding Report. They are immediately passed to the Safeguarding Unit to determine next steps. The percentage of inappropriate referrals and those that do not meet the threshold still take time to process alongside those that need to go straight to a strategy meeting. There have been discussions about how we as a Local Authority can better manage the flow of Adult Safeguarding referrals with limited resources. It is an issue being experienced locally and regionally.</p> <p>Physical and Emotional abuse are the main categories with cases of financial abuse on the increase.</p>
1.20	<p>During the period 1st April 2016 – 31st March 2017, 129 safeguarding reports were closed and 122 strategy meetings were held. The majority of cases were non-criminal and also proven or admitted. The majority of referrals come from provider agencies, care homes or hospitals.</p> <p>Since April 2017 there have been 122 safeguarding reports closed and 119 strategy meetings held already. Again the majority of cases are non-criminal and proven with the majority of referrals coming from provider agencies.</p> <p>National data will not be available until later on in the year but internal data indicates that the categories of abuse have remained fairly consistent with previous years.</p>
1.21	<p><u>Developmental Work within Adult Safeguarding</u></p>

	<p>In conjunction with Wrexham CBC, Flintshire Adult Safeguarding Managers have been the lead agencies in developing a new Adult Safeguarding referral form to reflect the changes brought about by the SSWBA. This form was launched several months ago following ratification by the Regional Adult Safeguarding Board and is now in use across the region. The form is designed to place more duties on the referrer to gain information about the person they are referring, including what immediate safeguards have been put in place, consent for the referral if the individual has capacity and the views and wishes of that individual. All Adult Safeguarding teams still await detailed guidance from Welsh Government to replace the All Wales Adult Protection (Interim) Procedures which have, in the main, been superseded by the SSWBA.</p>
1.22	<p>A rewrite of the All Wales Adult Protection (Interim) procedures has been agreed and will be conducted by Cardiff & the Vale. Local Authorities have been informed that this work is likely to take between 6 and 9 months. Until such time as this is delivered, Flintshire has been working closely with Wrexham Adult Social Care and Safeguarding teams to develop consistent practice as far as possible. Developments are passed through the Regional Adult Safeguarding Policies and Procedures sub-group.</p>
1.23	<p><u>Key Roles and Responsibilities Across the Safeguarding Unit Portfolio</u></p> <p>As well as core roles as detailed above, all safeguarding managers within the unit have other responsibilities. They work in collaboration with one another to ensure adults and children are safeguarded holistically. Some of their key roles are:</p> <ul style="list-style-type: none"> • To provide safeguarding representation at Adult and Children’s Policy and Procedures groups which are sub-groups of the Regional Safeguarding Boards • To deliver training on Child Protection, Adult Protection, Mental Health and DOLs • To attend or chair meetings convened under Part 4 AWCPP 2008 and Professional Concerns guidance, to consider allegations made against professionals • To provide representation on MARAC panels for both adults and children • To provide representation on the CSE panel to consider themes and trends for Child Sexual Exploitation in Flintshire • To act as Chair under the Prevent agenda providing a link for North Wales Police in managing individuals at risk of radicalisation • To support key agendas across Adults and Children’s Services such as Quality Circle, Joint Interagency Monitoring Panel (JIMP), Regional Safeguarding Board Delivery Groups, Quality and Assurance Groups, Children’s Forum, Audit groups, CSE Panel • To undertake adult safeguarding investigations in conjunction with

	<p>partner agencies</p> <ul style="list-style-type: none"> To provide a point of contact and consultation for key stakeholders, partner agencies and other professionals on all aspects of safeguarding
1.24	<p><u>Corporate Safeguarding</u></p> <p>The Corporate Safeguarding Panel was established in December 2015 in response to a Wales Audit Office (WAO) report 'Review of Corporate Safeguarding Arrangements in Welsh Councils' (July 2015)</p> <p>The Council's responsibilities for safeguarding are set out in legislation including the SSWBA 2014 which creates a duty on council employees, elected members and relevant partners to report any actual or suspected incidents of abuse or harm.</p> <p>The Corporate Safeguarding Panel was set up to ensure the Council provides a framework for all council services to safeguard and protect vulnerable adults and children.</p> <p>Safeguarding is included as a priority under 'Supportive Council' in the Council Plan 2017-2023. The Panel is well attended and supported by two Chief Officers and elected members. Each portfolio has an identified safeguarding lead.</p>
1.25	<p>The Corporate Safeguarding Panel has recently published the first in a series of News bulletins designed to keep all Flintshire County Council employees and elected member up to date with safeguarding news. The links can be found below.</p> <p>http://fcc_systems_01/FCC_News/Attachment/Display/395</p> <p>http://fcc_systems_01/FCC_News/Attachment/Display/394</p> <p>Flintshire Internal Audit have recently completed an audit of Corporate Safeguarding 2016/17 indicated a numbers of areas considered to be managed well and suggesting some areas for further improvement. This report is being considered at the present time.</p>
1.26	<p><u>Safeguarding Week 13th – 17th November</u></p> <p>Local authorities across Wales will be raising public and employees' awareness of safeguarding to promote the role of 'everyone' in safeguarding vulnerable adults and children. The support and interventions available in in North Wales will also be highlighted during the week and will be published on the Regional Safeguarding Board website.</p>

2.00	RESOURCE IMPLICATIONS
2.01	There are no financial implications arising from this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	N/A

4.00	RISK MANAGEMENT
4.01	N/A

5.00	APPENDICES
5.01	None

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>Contact Officer: Jayne Belton – Safeguarding Unit Service Manager Telephone: 01352 702600 E-mail: jayne.belton@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>(1) Looked After Children: Looked after children are children and young people who are in public care and looked after by the state. This includes those who are subject to a care order or temporarily classed as looked after on a planned basis for short breaks or respite care. The term is also used to describe ‘accommodated’ children and young people who are looked after on a voluntary basis at the request of, or by agreement with, their parents.</p> <p>(2) MARAC Process: (Multi Agency Risk Assessment Conference) is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs) and other specialists from the statutory and voluntary sectors. A victim/survivor should be referred to the relevant MARAC if they are an adult (16+) who resides in the county and is at high risk of domestic violence from their adult (16+) partner, ex-partner or family member, regardless of gender or sexuality.</p> <p>(3) All Wales Child Protection Procedures 2008: All Wales Child Protection Procedures, implemented on April 1st 2008, help safeguard children and promote their welfare. The All Wales Child Protection Procedures 2008 replace earlier jurisdiction. The procedures combine the shared knowledge and experiences of Wales’ 22 Local Safeguarding Children Boards (LSCBs) and reflect the changes required as a result of high-profile child protection reports like the Laming Report.</p> <p>They address a wide range of safeguarding issues, including new mediums</p>

in which abuse can occur, such as the internet, and incorporate learning from research and practice from other parts of the world.

(4) Corporate Parenting: The Council has a duty to act as a good parent to children and young people in its care and those young people in the process of leaving care. The Council wants these children to have the best possible outcomes. Clear strategic and political leadership is crucial in ensuring that Looked After Children and the Corporate Parenting agenda is given the appropriate profile and priority.

(5) Child Sexual Exploitation (CSE): Flintshire County Council's Children's Services and its partner agencies employ the CSE Panel as the mechanism to improve outcomes for children and young people in cases of known or suspected child sexual exploitation.

The CSE Panel has three primary roles:

- To ensure that cases of suspected or actual child sexual exploitation are well-managed and co-ordinated and that all possible action has been taken to protect the victims.
- To ensure that all cases are considered by a single group who are then able to identify any links between individual cases.
- To ensure that intelligence relating to patterns of child sexual exploitation in the area can be identified and action taken where necessary. This will include the sharing of intelligence in relation to suspect groups of victims, perpetrators, vulnerable locations etc.

The primary role of the CSE Panel is to provide oversight of cases. The CSE Panel does not replace any existing systems or procedures for the investigation of child protection concerns or individual care planning. In many respects, the CSE Panel will function in the same way as the existing MARAC process.

(6) JIMP: Joint Inter-Agency Monitoring Panel – made up of two distinctive roles; Professionals JIMP & Provider JIMP. The JIMP is made from key stakeholders to discuss / evaluate / mitigate and monitor concern(s) and risk(s) in relation to Escalating Concerns in Commissioned Adult Services.

(7) Public Law Outline: (Also known as PLO) sets out the duties local authorities have when thinking about taking a case to court to ask for a Care Order to take a child into care, or for a Supervision Order to be made. Under the Public Law Outline (2014) and the Children and Families Act (2014) guidance states that care and supervision proceedings should be completed within 26 weeks. The Public Law Outline sets out, amongst other duties, that the local Authority must ensure it identifies concerns that it has about a child early and where possible provides support for the family to address those concerns.

(8) SSWBA: Social Services and Wellbeing (Wales) Act 2014 - The Social Services and Well-being (Wales) Act came into force on 6 April 2016.

The Act provides the legal framework for improving the well-being of people who need care and support, and carers who need support, and for

transforming social services in Wales

(9) DoLS: Deprivation of liberty Safeguards - The Deprivation of Liberty Safeguards are an amendment to the Mental Capacity Act 2005. They apply in England and Wales only. The Mental Capacity Act allows restraint and restrictions to be used – but only if they are in a person's best interests. Extra safeguards are needed if the restrictions and restraint used will deprive a person of their liberty. These are called the Deprivation of Liberty Safeguards. The Deprivation of Liberty Safeguards can only be used if the person will be deprived of their liberty in a care home or hospital. In other settings the Court of Protection can authorise a deprivation of liberty.