

## SOCIAL AND HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE

<b>Date of Meeting</b>	Thursday, 21 January 2016
<b>Report Subject</b>	Adult Safeguarding Report
<b>Cabinet Member</b>	Cabinet Member for Social Services
<b>Report Author</b>	Chief Officer for Social Services
<b>Type of Report</b>	Strategic

### EXECUTIVE SUMMARY

This is the annual adult safeguarding report for the year from April 2014 to March 2015 in compliance with the Welsh Government statutory document, "In Safe Hands".

The adult safeguarding process in Wales is the national system in place to protect vulnerable client groups from abuse. Social Services departments take the lead in co-ordinating the process and in the development of local policy guidance, but all agencies are to work together on the "identification, investigation, treatment and prevention of abuse of vulnerable adults" (In Safe Hands, 2000)

In Flintshire the Adult Safeguarding team consists of two adult safeguarding managers, two permanent social workers, three temporary social workers funded to deal with Deprivation of Liberty Safeguards (DoLS) issues and administrative support. The team has responsibility in a number of areas:

1. Managing the Adult Protection process in Flintshire
2. Managing the Deprivation of Liberty Safeguards process
3. Managing the Council's Vulnerable Adults social work service

### RECOMMENDATIONS

1	That the contents of the report should be noted.
2	Particular note should be given to the increase in applications under the Deprivation of Liberty Safeguards.

## REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE ADULT SAFEGUARDING REPORT APRIL 2014 – MARCH 2015</b>
1.01	<p>416 Adult Protection referrals were received between April 1<sup>st</sup>, 2014 and the end of March 2015 (Figure 1). Of these, 173 met the threshold for progressing under safeguarding procedures. 199 did not meet the threshold and 44 were considered inappropriate (for example, if the referral related to someone who was not a vulnerable adult). The cases that did not meet the threshold were screened, recorded and monitored, and if several of these types of cases were received about the same provider over a short period, a meeting was called, to discuss whether they showed patterns of poor care. Statistics in this report refer to the 173 referrals that met the threshold. This is the seventh reported successive annual increase in the numbers of referrals received.</p> <p>The decision as to whether a referral should be taken forward is taken by the adult safeguarding managers, who consider the information presented in the light of the threshold guidance included in the Wales Policy and Procedures for the Protection of Vulnerable Adults from Abuse. In recent months work has taken place within the North Wales Adult Safeguarding Board to look at how these thresholds are implemented, to ensure consistency both across the region, and at a more local level (i.e. Flintshire and Wrexham). The Social Services and Well-being Act is likely to widen definitions of who needs to be protected under adult safeguarding procedures, and will replace the term “Vulnerable Adults” with “Adults at Risk”. The changes will be implemented across the region as more detailed guidance becomes available.</p> <p>Promoting the voice of the vulnerable adult / adult at risk is at the centre of working practice, and this is exemplified in the work of the adult safeguarding social worker. The social worker's role is to make contact with the service user at an early stage to ensure that they are aware of what will be happening and to keep them updated throughout the adult safeguarding process. The social worker will also work with carers where appropriate and will refer on to advocacy or other services as necessary. One of the key roles of the social worker is to work with the victim to assess what impact the alleged abuse had on them, and to offer any appropriate support. The safeguarding unit endeavours to be as accessible as possible for service users, and meetings have been held in the service user's home and in care settings to ensure they can be as involved in the process as possible.</p> <p>The highest number of referrals this year came from independent provider services, in both residential and domiciliary settings (Figure 2). The highest number of referrals received related to women, but this year, unusually, more women under sixty-five were referred than older women (66 women under 65, 34 women 65 or over) (Figure 3).</p> <p>Figure 4 shows the status of the 173 referrals that met the threshold, as at 31<sup>st</sup> March 2015.</p>

Vulnerable adults can be subject to a range of types of abuse, and sometimes one incident can be seen as more than one type of abuse (Figure 5). Physical abuse and neglect, for example, often go together. This year, the highest number of completed referrals related to allegations of abuse in people's own homes, followed by residential and nursing care homes and supported living placements (Figure 6).

At the end of the safeguarding process a decision is reached as to the outcome of the allegation made. The graph at Figure 7 shows range of conclusions at the end of the process. Figure 8 shows the measures in place to support the subject of the referral and also any other vulnerable adults who may be at risk. In 148 cases the risks to the vulnerable adult was either reduced or removed. In the other case, the service user made a choice not to remove themselves from a risky situation, and this was respected as the law requires.

At the end of the adult protection process outcomes are recorded for the person or persons alleged to have been responsible for the abuse (Figure 9). The range reflects the many different types of referral dealt with under the procedures: some cases can be dealt with by giving a staff member extra supervision, for example, whereas more serious matters might be referred for a criminal investigation.

For the nine months between April 2015 and December 2015 314 referrals were received, which suggests that a similar monthly rate to the previous year will be recorded by the end of the current financial year.

1.02

### **Deprivation of Liberty Safeguards**

The adult safeguarding team manage the Council'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, with an extra mental health 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

The Court ruling also means that people living in the community can also be deprived of their liberty. In these cases, applications should be made to the Court of Protection.

Figure 10 shows the rise in referrals made by care homes under the Deprivation of Liberty Safeguards process. In 2013 – 2014, 13 applications were received. In 2014 – 2015, 255 applications were

received. To respond to this huge rise in referrals three full-time temporary Best Interests Assessors have been seconded to the Adult Safeguarding team, and are working in care homes across Flintshire and beyond.

Figure 11 shows that the majority of DoLS referrals related to older people in care homes, and Figure 12 shows the breakdown of referrals by location. The referrals for locations outside Flintshire relate to people who are ordinarily resident in the county but are placed in care homes in other Counties.

Figures for the nine months between April 2015 and December 2015 show that 211 Deprivation of Liberty Safeguards referrals were received, suggesting that we will see a similar rate of referral to the previous year when figures are calculated after April 2016.

1.03

### **Training Courses and Attendances**

Flintshire County Council provide safeguarding training for council staff, partner agencies, and for staff and volunteers in the community. The sessions are commissioned and delivered by the Social Services Workforce Development Team with support from the Adult Safeguarding Unit. There is no charge for attendance. Until January 2014, Adult safeguarding training was part-supported by contributions from the Mental Health Services budget, but now all costs are met entirely from the Welsh Government's SCWDP (Social Care Workforce Development Programme) grant and 30% matched funding via the Workforce Development Team training budget.

Training is organised at four levels:

- Level 1 - Safeguarding information provided within the induction process agreed within individual teams and agencies.
- Level 2 - All-Wales Basic Safeguarding Awareness Training. This one day course is run approximately every 2 weeks in the Workforce Development Training Rooms in the Mold Library HQ, taking 20 delegates at a time. Between 1st April 2014 – 31st March 2015, 21 courses were delivered and 296 individuals attended.
- Level 3 - Safeguarding Adults Level 3 All Wales Policy & Procedures. This one day course covers the background to, and responsibilities contained in the *Wales Interim Policy & Procedures for the Protection of Vulnerable Adults from Abuse*. It is delivered by the Social Services Safeguarding Adults Manager and replaces the previous POVA (Protection of Vulnerable Adults) level 3 course. Between 1st April 2014 and 31st March 2015, 3 courses were delivered and 44 individuals attended. It is expected that changes will be made to the course content this year as a result of the Social Services & Well-Being (Wales) Act 2014.
- Level 4 (Specialist Training) – Covers Deprivation of Liberty Safeguards (54 individuals attended three day courses), Mental Capacity Act (introduced in April 2015) and Domestic Abuse (52 individuals attended four courses).

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	The DoLS requests have put significant financial pressure on the Council. This was supported by Cabinet agreeing an additional £270k for year one costs (2014/15) and £210k for future years while the judgement remains in force.
<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	N/A
<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	N/A
<b>5.00</b>	<b>APPENDICES</b>
5.01	Data referred to in the report is presented through graphs and tables in the attached document.
<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<b>Contact Officer:</b> Christopher Phillips <b>Telephone:</b> 01352 701459 (or internal ext. 1459) <b>E-mail:</b> <a href="mailto:christopher.phillips@flintshire.gov.uk">christopher.phillips@flintshire.gov.uk</a>
<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	Please find below a glossary of the terms used within this report.  <b>SCWDP (Social Care Workforce Development Programme):</b> a Welsh Government grant provider to all local authorities to training, development and qualify the social care workforce within the authority's boundary.