



London Borough of Hammersmith & Fulham

**Housing, Health and Adult Social Care Select Committee
13th November 2013**

SAFEGUARDING ADULTS IN HAMMERSMITH AND FULHAM

Report of the Divisional Director: Stella Baillie Tri-borough Director, Provided Services, Mental Health Partnerships and Safeguarding for Adult Social Care

Open Report

Classification: For Scrutiny Review & Comment

Key Decision: No

Wards Affected: All

Accountable Executive Director: Liz Bruce, Tri-borough Executive Director of Adult Social Care

Report Author: Helen Banham, Tri-borough Strategic for Professional Standards and Safeguarding

Contact Details:

Tel: 020 7641 4196

E-mail: hbanham@westminster.gov.uk

SAFEGUARDING ADULTS IN HAMMERSMITH AND FULHAM

November 2013

1. Introduction

- 1.1. The Care Bill¹ passing through Parliament will require local authorities to: make (or cause to be made) enquiries if a person is at risk of abuse and neglect, and unable to protect themselves; establish a Safeguarding Adults Board; and review cases, especially where a death of an adult at risk has occurred as a result of abuse or neglect.
- 1.2. The present arrangements for adult safeguarding in Hammersmith and Fulham, and the other two boroughs that make up Adult Social Care Tri-borough, ensure that the local authority is well-placed to meet its new statutory responsibilities for adult safeguarding from 2014.
- 1.3. From the 1st April 2012, the responsibility for carrying out adult Safeguarding statutory duties² in Hammersmith and Fulham has been shared between the Professional Standards and Safeguarding Team and the Adult Social Care Operational teams, including those for people with learning disability, mental health, substance use, physical disabilities and older people.
- 1.4. From 1st April 2013, the Professional Standards and Safeguarding Team has also had responsibility for operating a single Deprivation of Liberty Safeguards service, authorising detentions under the Mental Capacity Act 2005 on behalf of Hammersmith and Fulham, Westminster, Kensington and Chelsea, and the NHS³.
- 1.5. The Professional Standards and Safeguarding Team, which was set up on 1st April 2012, has three safeguarding leads, one for Hammersmith and Fulham, and one for each of other two boroughs; a manager for the Deprivation of Liberty Safeguards service; a Mental Capacity Act lead; and two administrators; one to support the Safeguarding Adults Executive Board, and one administering the Deprivation of Liberty Safeguards.

2. Governance of Adult Safeguarding

- 2.1. In addition to managing the Professional Standards and Safeguarding Team, the strategic lead is responsible for managing the newly constituted, independently chaired, multi-agency, Tri-borough Safeguarding Adults Executive Board which

¹ Care Bill (HL) <http://www.publications.parliament.uk/pa/bills/lbill/2013-2014/0045/140045.pdf>

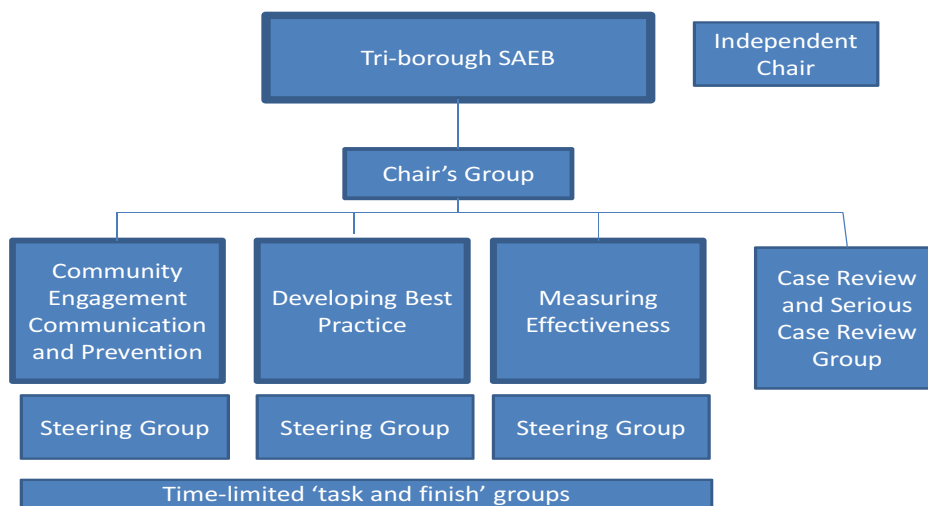
² The safeguarding responsibilities for local authorities are outlined in 'No secrets' 2000 guidance issued under Section 7 of the Local Government Act 1970: 'statutory agencies should work together in **partnership** (as advocated in the Health Act 1999) to ensure that appropriate policies, procedures and practices (for the protection of vulnerable adults from abuse) are in place and implemented locally. Local authority social services departments should play a co-ordinating role in developing the local policies and procedures for the protection of vulnerable adults from abuse.

³ Health responsibilities for Deprivation of Liberties were transferred to the local authorities on 1st April 2013 as required by the Health and Social Care Act 2012.

SAFEGUARDING ADULTS IN HAMMERSMITH AND FULHAM November 2013

from 1st July 2013, has been providing leadership of adult Safeguarding across Hammersmith and Fulham, Kensington and Chelsea, and Westminster.

Figure 1: The Tri-borough Safeguarding Adults Executive Board⁴



2.2. The work of the Safeguarding Adults Executive Board is carried out through three work-streams (Community Engagement, Communications and Prevention; Developing Best Practice; and, Measuring Effectiveness). The three Professional Standards and Safeguarding Team safeguarding leads each have responsibility for one of the work-streams. The Hammersmith and Fulham safeguarding lead is responsible for co-ordinating the Measuring Effectiveness work-stream.

2.3. The Board is currently considering the arrangements it will be putting in place for review cases and carry out Serious Case Review to meet the requirements of the Care Bill.

2.4. The Board is also developing its strategic priorities and Business Plan. It will publish a tri-borough annual report in October each year, from 2014. The Annual Report will be available to the Hammersmith and Fulham, Housing, Health and Adult Social Care Select Committee, and scrutiny bodies of the other two boroughs, in time for the November committee cycles.

3. Commissioning and Operational Arrangements for Adult Safeguarding

3.1. The Hammersmith and Fulham Adult Social Care operational teams currently receive and risk-assess safeguarding referrals, and co-ordinate safeguarding investigations, and protection planning for people who have experienced abuse.

⁴ The Tri-borough Safeguarding Adults Executive Board Terms of Reference are available.

SAFEGUARDING ADULTS IN HAMMERSMITH AND FULHAM

November 2013

- 3.2. The Professional Standards and Safeguarding Team safeguarding leads: provide staff in the Adult Social Care Operational teams with advice on complex cases; ensure practice is compliant with 'Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse'⁵; test compliance through peer and external audit; and based on findings, commission training to improve particular areas of practice; including assessing risk; investigating abuse; co-ordinating safeguarding enquiries; assessing capacity; and making best interest decisions.
- 3.3. To do this work well, all members of the Professional Standards and Safeguarding Team work hard to maintain high professional standards and to ensure that their knowledge is up-to-date in their areas of expertise (Safeguarding, Mental Capacity Act and Deprivation of Liberty Safeguards), in order to be credible, and to give accurate, timely, and lawful advice to managers and front-line staff.
- 3.4. The Professional Standards and Safeguarding Team provide the same range of support to NHS Trusts; General Practitioners; a wide range of voluntary sector providers; hostels; service user and carers' groups; community forums; the police; community safety; the Multi-Agency Risk Assessment Conferences (MARACs) and domestic violence advocacy providers; and other departments in the local authorities. The focus of this work is to prevent harm, increase reporting of abuse, and to enable people who have experienced harm to stop the abuse, and wherever possible, to be safer, and lead happier, healthier lives.
- 3.5. From 1st April 2013, the Professional Standards and Safeguarding Team have been working with the Quality and Patient Safety team of the Central London, West London, Hammersmith and Fulham, and Hounslow (CWHH) Clinical Commissioning Groups Collaborative, and the Care Quality Commission, to address concerns about the quality of care in care and nursing home providers in Hammersmith and Fulham, and the other two boroughs (47 in total). A shared protocol is in place to guide this work and to ensure that information is shared, and the responses are proportionate, and lead to improvements in the quality and safety of the care provided to people receiving services.

4. What has been achieved since 1st April 2013

- 4.1. The Tri-borough Safeguarding Adults Executive Board had its inaugural meeting on 30th July, with senior representation from all statutory agencies. Members are working with a representative from the law commission to understand what the new statutory duties will look like when the Care Bill becomes law next year.
- 4.2. The Deprivation of Liberty Safeguards service has recruited 31 trained Best Interest Assessors from the operational Adult Social Care teams in the three boroughs, and 5 independent Mental Health Assessors. The service has lawfully

⁵ SCIE report 39 'Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse' <http://www.scie.org.uk/publications/reports/report39.pdf>

SAFEGUARDING ADULTS IN HAMMERSMITH AND FULHAM

November 2013

processed all requests for Deprivation of Liberty Safeguards authorisation for people who are the responsibility of the three boroughs, within the timescales required in law (7 calendar days for urgent authorisations). The average rate of applications to the Deprivation of Liberty Safeguards service is one per week per borough. Not all applications lead to a detention. Between January and June 2013, 22 Deprivation of Liberty Safeguards detentions were authorised across the three boroughs, of which 5 were from Hammersmith and Fulham.

- 4.3. Staff in all the Operational teams in Hammersmith and Fulham, and the other two boroughs, are receiving the same training in the use of the Safeguarding module of the new client information system (Framework-i), which is compliant with 'Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse'. The single system is making it easier to share information; compare activity data across all three boroughs; identify and address variations in practice; and take remedial action.
- 4.4. The same process of external audit and peer audit of Safeguarding case files has been introduced in Hammersmith and Fulham, and the other two boroughs, and will provide comparative evidence of good practice, and practice that needs improvement. The findings are informing the training priorities and performance issues to be addressed with individuals and teams.
- 4.5. From 1st April 2013, the Professional Standards and Safeguarding Team have been working with the Quality and Patient Safety team of the Central London, West London, Hammersmith and Fulham, and Hounslow (CWHH) Clinical Commissioning Groups Collaborative, and the Care Quality Commission, to address concerns about the quality of care in care and nursing home providers in Hammersmith and Fulham, and the other two boroughs (47 in total). A shared protocol is in place to guide this work and to ensure that information is shared, and the responses are proportionate, and lead to improvements in the quality and safety of the care provided to people receiving services.

5. Measuring Effectiveness of Safeguarding Work during 2012-13

- 5.1. At the end of June 2013, Hammersmith and Fulham, and the other two boroughs, submitted information on safeguarding activity during 2012-13 to the Department of Health in the annual Abuse of Vulnerable Adults (AVA) return. The return will be published later this month.
- 5.2. From 2013-14, the Abuse of Vulnerable Adults return will be replaced with the Safeguarding Adults Return (SAR). The new return will include a question on whether or not the safeguarding process has removed or reduced the risk to the person.
- 5.3. To complete this return, it is important to have a complete data set. From December 2013, Hammersmith and Fulham, and the other two boroughs will be using the same client information system (Frameworki) and the same safeguarding forms and reports, which will enable comparative data to be collected and analysed and reported more easily and accurately.

SAFEGUARDING ADULTS IN HAMMERSMITH AND FULHAM

November 2013

- 5.4. The 2012-13 Abuse of Vulnerable Adults return showed that in the number of safeguarding referrals received, Hammersmith and Fulham falls in the mid-range of London Boroughs (490 in 2012-13; 515 in 2011-12; 375 in 2010-11). Taking population into account by looking at the number of referrals per 100,000 people aged over 18 years, Hammersmith and Fulham has one of the highest rates of safeguarding referrals in London.
- 5.5. Also in Hammersmith and Fulham, there is a high rate of referrals (twice the London average) of people aged 18 to 64. This age group accounts for 30% of people receiving social care services in the borough, but 60% of safeguarding referrals.
- 5.6. Among people aged 18 to 64, the most frequently reported type of abuse⁶ is physical (33%). Among older people, it is neglect (34%). In Hammersmith and Fulham there has been an increase in the proportion of incidents of neglect, and this reflects the trend across London.
- 5.7. Since last year, work has been done with staff to improve coding of people by client group and to reduce the use of 'other vulnerable people' code. This has significantly improved recording of the relationship between the person and the alleged perpetrator of abuse.
- 5.8. There has also been a marked reduction in the number of cases marked as 'inconclusive' reflecting a clear improvement in recording outcomes. Cases are now either 'substantiated', 'not substantiated' or less frequently, 'partially substantiated'.
- 5.9. In all three boroughs, there is a close match between profiles of all adults who receive social care, and adults referred for safeguarding, in terms of ethnic group.
- 5.10. An external audit has been commissioned for the end of October 2013 and will provide further information on safeguarding case performance for Hammersmith and Fulham, and the other two boroughs.
- 5.11. Progress on actions taken as a result of the findings and recommendations from the annual return and audits is monitored through the newly formed Adult Social Care Quality Assurance Board, on which the Professional Standards and Safeguarding Team and the Adult Social Care operational teams are represented.

6. What will be completed by the end of March 2014

- 6.1. In the remaining 6 months of the year, the Professional Standards and Safeguarding Team and the Adult Social Care Operational teams, have set a number of actions and targets to be completed in adult safeguarding. These include the following:

⁶ 'No Secrets' guidance identifies seven types of abuse: institutional; discriminatory; neglect; financial; emotional/psychological; sexual; and, physical.

SAFEGUARDING ADULTS IN HAMMERSMITH AND FULHAM

November 2013

- To have secured full representation of agencies working with adults at risk, on the Safeguarding Adults Executive Board, including the police and elected members, and to have 'launched' the Board at an event on 7th November 2013.
- To have completed the work priorities in the annual business plan of the Safeguarding Adults Executive Board, including work with the Children's Safeguarding Board, where there are shared outcomes.
- To have in place a multi-agency process for learning from case review and Serious Case Review in Hammersmith and Fulham, and the other two boroughs.
- To have distributed new material designed to raise public awareness of adult safeguarding, and of how to report abuse, in Hammersmith and Fulham, and the other two boroughs.
- To have completed the requirements of the Winterbourne View concordat.
- To have achieved greater consistency of safeguarding practice as reflected in the Safeguarding Adult Return for 2013/14, and in the findings from external and peer audit, in Hammersmith and Fulham, and the other two boroughs, and have better understanding of any legitimate reasons for local variations.
- To have consolidated the work with health and local providers to improve people's experience of care in nursing and care homes in Hammersmith and Fulham, and the other two boroughs .
- To have developed ways of capturing people's experience of safeguarding and use the information to improve services in Hammersmith and Fulham, and the other two boroughs.

7. Conclusion

- 7.1. The present arrangements for adult safeguarding in Hammersmith and Fulham, and the other two boroughs that make up Adult Social Care Tri-borough, outlined in this report, are designed to ensure that the local authority will meet its new statutory responsibilities for adult safeguarding, to be introduced in 2014 when the Care Bill receives Royal Assent.
- 7.2. The arrangements will also continue to promote the application of the Mental Capacity Act 2005 to practice, and ensure that Hammersmith and Fulham residents are protected by the Deprivation of Liberty Safeguards, when necessary.
- 7.3. All arrangements are subject to scrutiny and periodic review and will be changed and improved by learning from case work, listening to the experiences of people

SAFEGUARDING ADULTS IN HAMMERSMITH AND FULHAM
November 2013

using services, and in response to legislation, government guidance and recognised best practice.

Helen Banham, Strategic Lead for Professional Standards and Safeguarding