

Swindon LSAB Strategy 2015-2018**Version 01**

The Swindon Local Safeguarding Adults' Board (LSAB) has been set up with the primary role to protect adults in need of care and support from abuse or neglect or the risk of it. As stated within Government Policy on Adult Safeguarding there are 6 principles on which the Swindon LSAB have based its strategy:

Empowerment - Presumption of person led decisions and informed consent

Protection - Support and representation for those in greatest need

Prevention - It is better to take action before harm occurs

Proportionality - Proportionate and least intrusive response appropriate to the risk presented

Partnership - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse

Accountability - Accountability and transparency in delivering safeguarding.

The **immediate priority** for the LSAB is to ensure that the Board and its members fulfil their responsibilities in relation to the Care Act 2014 which came into force on 1st April 2015. Overall, the Act puts adult safeguarding on a statutory footing for the first time and states that:

- Where abuse or neglect is suspected (or where an adult in need of care support is at risk of abuse or neglect), local authorities make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case if so, what and by whom
- Safeguarding Adults Boards need to be established
- Ensure Safeguarding Adults Boards carry out Safeguarding Adults reviews as stipulated within the Act
- Where there is a need, information is supplied to enable the Board to exercise its functions

Safeguarding policies and processes have been in place in Swindon since 2001 following the publication on No Secrets in 2000. With the Care Act, No Secrets is repealed and while the basic framework remains, the Act and its supporting guidance widens safeguarding in a number of areas. The definition of the group of

people safeguarding policies are to support has changed and the definition to be used is:

"An Adult who has needs for care and support (whether or not the authority is meeting any of those needs), is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it."

NB. This definition also is used to describe the people for which the Local Safeguarding Adults Board needs to act to help and protect in its areas and the members of the Board need to ensure that its remit does not become so wide that it is unsuccessful in meeting its duties.

Action: Board to discuss and agree its remit at August 2015 Board meeting

The Swindon LSAB Strategy

Each member of the Board has a responsibility to ensure that adults in need of care and support are protected from abuse and neglect and where there are concerns about an individual or individuals, correct action is taken to ensure a concern is raised following the Policy and Procedures for Safeguarding Adults in Swindon and Wiltshire.

Where a member has a direct responsibility to participate or carry out an enquiry, they too ensure the knowledge and resources are available to fulfil that function. All agencies have a responsibility to assist with enquiries and supply information to support the Board's function.

The main purpose of this strategy is to provide an outline of the six safeguarding priorities. A Swindon LSAB Business Plan supports the delivery of the priorities. The Business Plan is developed by the Swindon LSAB and will be reviewed six monthly by the Board, and updated annually.

Empowerment

In everyday life, all adults should be able to make decisions for themselves and where required supported in doing so. When there is a concern about an individual which requires an enquiry to be instigated, the views of the adult in need of care and support are paramount and there is a requirement for services involved in the management of such enquiries to ascertain the desired outcomes of the adult at risk and ensure these views will inform what happens. Where an individual has substantial difficulties in being able to express their views, they may be supported in doing so by an appropriate suitable person for example a family member and where an appropriate person is not available, an advocate is engaged through the relevant services.

Individuals should also be provided with the means to recognise abuse and take action whereby they can prevent future harm or be able to report abuse or neglect themselves but be able to obtain support if needed. As there is a clearer emphasis that safeguarding enquiries may need to be instigated when there is a concern that someone is a risk of abuse (not just experiencing it) a consideration needs to be given to someone's life choices and informed decisions made. As well as taking into account the level of harm any perceived risk may present, how someone may react to risk could have an effect their well-being and require help and support to manage their risk so as not to impact on their independence (for example).

This culture, which is reinforced by the Board's adoption of Making Safeguarding Personal, must be at the heart of the Board's decision making.

Empowerment - Actions:

- Wherever possible, the adult themselves is to be included in all stages of the safeguarding process. Audits will be undertaken to ensure that the adult is at the centre of the decision making process in accordance with the Making Safeguarding Personal approach. Audits to be undertaken through QA Group, quarterly.
- Ensure that information is available to adults in need of care and support so that they know how to report abuse and neglect themselves. Publicity material and on line resources to be updated. Head of Safeguarding. September 2015.
- Publication of Swindon Guide – document given to service users going through safeguarding process. Head of Safeguarding, September 2015.
- Increase the membership of the Service User Forum. Chair of LSAB and Chair of Service User Forum. Review September 2015.
- Training for Enquiry Officers involved in safeguarding cases updated to include the emphasis on "Making Safeguarding Personal" June 2015.
- Audit of use of advocacy service to support alleged victims of abuse or neglect. QA group December 2015

Protection

There needs to be processes in place to manage risk and help people to manage their own risks. Local safeguarding procedures need to be accessible and people need to understand how key agencies work and know how to make contact with them. When there is a safeguarding concern, the alleged victim needs to be protected from abuse or if there is a concern that they may be at risk of it, action is taken to minimise the possibility of harm or further harm.

It is acknowledged that there may be times where it is necessary to take action to protect individuals that may be at odds with their views. This could be because there could be a wider public interest or a crime committed or because the person is believed to be under duress and not able to make informed choices. Strategies need to be in place to act appropriately on these occasions but ensure the individual is involved, informed or supported at the earliest opportunity.

To ensure there is a clear process to raise a concern and demonstrate that an appropriate response follows, Swindon are developing and changing the management of safeguarding procedures to ensure it is clearer and compliant with Care Act duties particularly with regard to the functions local authority adult services cannot delegate (of which one is now safeguarding). To achieve this, SBC are developing an internal safeguarding adults structure of senior practitioners able to manage and oversee safeguarding enquiries. There will also be a single referral point also managed within this service area.

Protection - Actions:

- Single Referral Point established within Adult Social Care. Strategic Commissioner for Adults. 1st May 2015. Progress report to Board November 2015.
- Establish team of senior quality practitioners to act as Enquiry Managers for individual cases. 1st May 2015. Progress report to Board November 2015.
- QA group to undertake quarterly review of sample of individual cases to evaluate quality of practice and outcomes. QA group.

Prevention

Key agencies and Board members need to take action that prevents harm from occurring in the first place. Staff working with adults in need for care and support receive training in the signs of abuse and know how to take action to prevent it from occurring. Public awareness needs to be in place to inform members of the community about how to report signs of abuse and report criminal activity.

Care services need to be delivered in such a way that standards of care prevent harm and that there is a culture of openness within services meaning poor practice can be challenged and changed. Agencies that commission services need to have procedures in place that can check the quality of the services they have procured and ensure action is taken to prevent abuse and neglect from occurring.

The Board and its members need to know about the initiatives that are in place in Swindon that support adults in need for care and support particularly where these needs do not require a particular service, but could still present some risks to individuals. For example, someone who may have limited mobility, but is fully self

caring could be isolated. The Swindon Circles of Support scheme which links volunteers with older people living in the community may be able to provide help. Or, where someone with a learning disability who is quite independent experiences difficulties while using the community, they can get immediate help by using The Safe Places Scheme where shops and business display a window sticker which indicates available support in these circumstances.

Prevention - Actions:

- Free awareness training provided for all staff who work with people with care and support needs. Head of Safeguarding. Report in LSAB Annual Report.
- Safeguarding training provided for all private and voluntary sector managers. Head of Safeguarding. Report in LSAB Annual Report.
- LSAB members/partners to undertake safeguarding awareness training. LSAB Chair. December 2015.
- Ensure that safeguarding is a key consideration in the tendering and procurement process during the commissioning of all services. LSAB to require all members to complete a self-assessment to demonstrate compliance with commissioning requirements. Operational Group – Annually.

Proportionality

Where abuse or neglect is suspected or there is a risk of it, action is taken that is proportionate to the circumstances. Any intervention must (unless in exceptional circumstances where it would be unsafe to do so) ensure that the alleged victim is engaged throughout the process and as far as possible work to achieve that person's desired outcome(s). Any response should not be at such a level that the individual feels at a greater disadvantage following the safeguarding process than they did before the concern was raised. *What good is it making someone safer if it merely makes them miserable?* (Lord Justice Munby).

The Policy for Safeguarding Adults at risk has been revised to include requirements in the Care Act and its guidance. It also highlights the requirement to determine the most appropriate people from the most appropriate agencies to carry out an enquiry. This does not always mean the police, or the local authority (or SEQOL and AWP), as it may be a more proportionate response for an enquiry to be carried out by an employer, the risk team in a hospital or a registered professional.

Proportionality - Actions:

- Establish LSAB Case Review Group. LSAB Chair. By August 2015.
- Proportionality to be included in training for all staff working with people with care and support needs. Head of Safeguarding. September 2015

- Case examples discussed at each meeting of the Board and Operational Group and included in LSAB Annual Report. LSAB Chair.

Partnership

Agencies, Board members and partners need to work together to prevent abuse or neglect, protect adults from harm and respond proportionately. They also have a part to play in ensuring adults in need for care and support are able to take informed risks and are enabled to make decision for themselves. Local communities also have a part to play in preventing abuse and neglect and members of the community need to be aware of what they should do to report concerns.

Information needs to be supplied by all agencies in the interests of safeguarding adults and ensuring the LSAB is able to fulfil its responsibility. This is a requirement to enable enquiries to take place unhindered or to enable an accurate safeguarding adults review or to assist in the management of risks to minimise harm and help to empower people. Agencies, particularly Board members will need to adopt an information sharing protocol and promote its use to their staff.

While there has been considerable activity with regards to investigating incident of alleged abuse, further work is required to prevent abuse or neglect from taking place. Partnership working will contribute to these areas of work particularly when it relates to matters outside the direct remit of adult social care services – for example the Community Safety Partnership.

Some of the issues to consider include:

- Domestic Abuse: In appropriate cases, domestic abuse may require a safeguarding response (and vice versa)
- Hate Crime – Anti Social Behaviour: are safeguarding concerns being recorded as hate crimes where appropriate? Are ASB teams being consulted when anti-social behaviour is impacting on adults in need of care and support? Where this is identified, a wider range of agencies may need to respond to reduce and remove incident of harassment/bullying within (for example) specific communities, and prevent incident impacting on other vulnerable people who may become victims in the future
- Human trafficking / modern slavery / sexual exploitation: This is an area which is included in guidance but there is little guidance from safeguarding adults' procedures. While partners may have a lead role with these areas of abuse, they may need to brief the LSAB on their duties regarding and ensure safeguarding procedures are instigated should an adult in need for care and

support as defined in the Care Act be a victim of human trafficking, modern slavery or sexual exploitation.

- Bogus callers, financial scams, distraction burglaries, dangerous drugs gangs: criminals responsible for such areas of concern often target vulnerable people that may require support of the safeguarding process. Agencies outside adult services already engaged in these issues need to be available to support safeguarding procedures but also provide advice guidance and training to social care staff who need awareness of this and will be able to help with prevention.

The main finding from a Board initiated case review was the need for a risk enablement process, particularly with people who either are not eligible for services or do not wish to accept support from services but remain a risk.

It has been agreed that a Risk Enablement Pathway which includes the creation of a multi-agency Risk Enablement Panel should be established in Swindon to work with adults (who have mental capacity) who are at risk due to:

- severe self-neglect/self-harm
- risk taking behaviours
- refusal to engage with services for which they are eligible
- abuse by a third party – not willing to engage in safeguarding or with services
- that is a 'frequent caller' to services
- where the agency is struggling to maintain a high risk situation as a single agency
- and where that risk may lead to significant harm or death.

Care Act Guidance also refers to the need for effective links with other partnerships that may have a related role. These may include the Local Children's Safeguarding Board (LSCB), the Community Safety Partnership (as previously stated), Domestic Abuse Forums, Health and Wellbeing Board. This may help to reduce duplication but also mutually assist the partnerships to take advantage of each other's experiences, knowledge and specialisms.

Partnership Actions:

- Information Sharing Protocol to be developed and agreed in partnership with LSCB. Carmel Burton. September 2015.
- Resourcing the Board. Care Act Guidance 14.113. Members of LSAB. Recognition from Board members of their obligations to provide resources for the LSAB. Chair LSAB to raise with Members. August Board 2015.
- Develop a project around introducing a Risk Enablement Pathway. Risk Enablement Development Manager. September 2015.

- Ensure that links are maintained and developed with CSP, Health Wellbeing Board, LSCB, Domestic Violence Steering Group. LSAB Chair.

Accountability

One of the criticisms of safeguarding procedures in many local authority areas is the secrecy of the process, excluding the adult and at times (as reinforced by recent judgements) making unlawful decisions with the intention of making someone safe. Making Safeguarding Personal will help to alleviate this perception and teams managing safeguarding cases need to be able to account for their actions, ensure that information is shared within a legal framework and that nothing should take place that is not in the best interests of the adult. Everyone involved in the safeguarding process need to be clear about their specific roles and duties.

Within the Care Act guidance reference is made to the need for Designated Adult Safeguarding Managers (DASM), particularly within the Local Authority. This will be a role akin to the LADO (Local Area Designated Officer) role in children's safeguarding. Other agencies may also identify a DASM who would ensure their agency meets their responsibilities with regards to safeguarding adults. The LSAB will need to consider this role against existing practice to determine how these roles will operate and whether resources will support their establishment.

Accountability Actions:

- The Board to agree its position concerning the role of the DASM for each member agency to comply with 14.176 of Care Act Guidance. LSAB Chair. Board meeting May 2015.
- New Council Member training is set up. Head of Safeguarding October 2015

The Care Act 2014

As stated previously, the Care Act and its guidance, has directed local authorities on the key priorities for Boards. The LSAB has discussed these and have been made aware of the work that is in progress.

The overall duty as laid out in the Care Act differs from the practice prior to April 2015. The definition of who needs to be supported by the procedures has changed as have the abuse types listed in guidance. These have been reflected in a draft policy that needs to be agreed by the Board and then the linked guidance should be updated to fit. The personalised safeguarding (*Making Safeguarding Personal*) has already been included in the policy and creating a new team of enquiry managers (those managing safeguarding concerns) has helped to "start as you mean to go on" and puts less of a need to change established practice. The Enquiry Officer role (who in the main will liaise with the adult and enquiry manager), will continue to be met by SEQOL and AWP.

The Care Act guidance also includes self neglect as a type of abuse. The Board has considered a basic outline on how this will fit with existing social work practice but may need to escalate to a risk enablement process as referred to above. The oversight of individual cases will be within the safeguarding framework. The guidance states that the LSAB will be a “positive means to address issues of self-neglect”. However there is a need to ensure that processes put in place and actions taken are not at odds with Human Rights and Mental Capacity legislation and do not conflict with the clear message given in Care Act guidance that any approach needs to be proportionate, person led, and accounts for the needs and wishes of the adult in question.

Within the Care Act, arrangements need to be in place where local authorities provide advocacy for those people who have substantial difficulties in being involved in processes. This applies to safeguarding. A service has been commissioned to provide advocacy and this also includes the provision of Independent Mental Capacity Advocates for those who lack capacity and do not have anyone else appropriate to support them.

The LSAB will need to discuss and decide upon the resources required to undertake its workload. The requirement to carry out Adult Safeguarding Reviews will have an impact on resources and will not be able to be met from existing funds and resources. Much of the information produced by the Board, this strategy, the annual report, guides to safeguarding etc. need to be in accessible formats. This obligation may include the provision of easier to read documents and different formats being available. Engagement with community groups is now a statutory duty. The work carried out with the LSCB on engagement and awareness needs to resume in light of this requirement.