

**OVERVIEW AND SCRUTINY COMMISSION
27 JANUARY 2011**

PERSONALISATION – SAFEGUARDING ADULTS OVERVIEW AND SCRUTINY REPORT

Assistant Chief Executive

1 INTRODUCTION

- 1.1 This report introduces the response to the report resulting from the review of safeguarding adults in the context of the personalisation of Adult Social Care undertaken by a working group of the Adult Social Care Overview and Scrutiny Panel.

2 SUGGESTED ACTION

- 2.1 That the Overview and Scrutiny Commission considers the response of the Executive to the review of safeguarding adults in the context of the personalisation of Adult Social Care undertaken by a working group of the Adult Social Care Overview and Scrutiny Panel.**

3 SUPPORTING INFORMATION

- 3.1 The Executive is due to consider the attached recommended response to the report on the review of safeguarding adults in the context of the personalisation of Adult Social Care at its meeting on 18 January 2011. Any changes to the recommended responses agreed by the Executive on 18 January will be reported orally at this meeting.
- 3.2 The Executive response was not available in time for the recent meeting of the Adult Social Care Overview and Scrutiny Panel on 10 January 2011. As the Panel is not due to meet next until 14 June, this report will be sent separately to Panel members together with the outcome of the Commission's consideration of it.

Background Papers

'Staying Safe' – Report Of A Review Of Safeguarding Adults In The Context Of The Personalisation Of Adult Social Care, October 2010.

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TO: THE EXECUTIVE
18 JANUARY 2011

**OVERVIEW AND SCRUTINY REPORT ON “STAYING SAFE”
Director of Adult Social Care and Health**

1 PURPOSE OF DECISION

- 1.1 To determine the Executive’s response to the recommendations in the report by the Adult Social Care Overview and Scrutiny Panel’s Working Group on Staying Safe.

2 RECOMMENDATIONS

- 2.1 That the following recommended of the Working Group on “Staying Safe” be accepted:

- 1 secure, reliable, safe and consistent personalised care services be provided for users by public, private and independent providers; and that these providers be monitored appropriately at all times;
- 2 That people who are purchasing their own care support through Direct Payments continue to be made aware of the arrangements for the management of adult safeguarding in Bracknell Forest to enable them to access assistance and advice through the appropriate channels;
- 3 That adult safeguarding training and awareness raising be continued in all sectors, including the independent sector, to ensure the successful implementation of the safeguarding agenda;
- 4 That financial abuse and the adverse influencing of young adults with mild Learning Disabilities continue to be monitored to ascertain whether sufficient action is being taken to tackle these issues;
- 5 That mainstream services and activities such as those offered by leisure centres operated by the Council be encouraged to continue to offer greater support to vulnerable people using their facilities in place of traditional day services;
- 6 That in line with the CQC recommendation, individual involvement to enable people to have greater input into safeguarding services be improved;
- 7 That members be made aware of adult safeguarding services, facilities and issues in their particular area and be briefed on relevant developments to raise safeguarding awareness levels to protect vulnerable adults from abuse and create a positive, open and transparent culture;
- 8 That the NHS continue to be encouraged and supported to embed modernised empowering adult safeguarding in its working practices;

9 That consideration be given to devising an Adult ‘Safeguarding Toolkit’ similar to that issued by the Bracknell Forest Local Safeguarding Children Board; and

10 That consideration be given to the development of a Self-Neglect Policy for Bracknell Forest.

2.2 That the Adult Social Care Overview and Scrutiny Panel be advised that the Working Group is thanked for their work.

3 REASONS FOR RECOMMENDATIONS

3.1 The Overview and Scrutiny Working Group has spent considerable time reflecting on all the issues with the support of appropriate officers. As a consequence the report and recommendations are fully informed and merit support.

4 ALTERNATIVE OPTIONS CONSIDERED

4.1 Not applicable.

5 SUPPORTING INFORMATION

5.1 The Working Group has set their work in the context of the national agenda for personalised support arrangements for individuals, and the increasing emphasis on preventative and empowering approaches to supporting people and managing risks.

5.2 The recommendations of the Working Group to the Council’s Executive are listed on page 24 of the Working Group’s report. These are attached as an annexe and, with some changes in detail, its findings and recommendations are accepted.

5.3 The reasons behind the recommendations are explained below:

5.4 Secure, reliable, safe and consistent personalised care services be provided for users by public, private and independent providers; and that these providers be monitored appropriately at all times;

The Executive is asked to recognise that the work undertaken through the Quality Assurance Framework, which incorporates contract monitoring, and which is overseen through the Care Governance Board. This approach, coupled with provider liaison meetings ensures the quality and effectiveness of services, and should therefore be continued.

5.5 People who are purchasing their own care support through Direct Payments continue to be made aware of the arrangements for the management of adult safeguarding in Bracknell Forest to enable them to access assistance and advice through the appropriate channels;

People receiving Direct Payments to arrange their own support may not have the benefit of the same level of external oversight of their wellbeing, and therefore it is essential that they are sufficiently informed of their rights and appropriate support and advice arrangements should they need to access them.

- 5.6 Adult safeguarding training and awareness raising be continued in all sectors, including the independent sector, to ensure the successful implementation of the safeguarding agenda;

The Safeguarding agenda promotes the concept that safeguarding is everybody's business. Training and awareness for staff in all sectors is crucial to enable them to be able to recognise where individuals may be at risk of abuse, and to take appropriate action to prevent, or report inappropriate behaviour.

- 5.7 Financial abuse and the adverse influencing of young adults with mild Learning Disabilities continue to be monitored to ascertain whether sufficient action is being taken to tackle these issues;

This recommendation recognises that some young people may be at risk of exploitation, and supports the current multi-agency approach that is addressing this.

- 5.8 Mainstream services and activities such as those offered by leisure centres operated by the Council be encouraged to continue to offer greater support to vulnerable people using their facilities in place of traditional day services;

The move away from more institutional support arrangements requires that there are a range of alternative mainstream opportunities in which people can participate of they choose. Some universal services are not currently aware of how they may need to adjust their facilities and approaches to enable people with additional support needs to participate. This recommendation supports the approach being taken as part of the Personalisation agenda, in which mainstream services are supported to develop their awareness and skills, and where appropriate resources, to enable them to offer a better service to people who require additional or different support.

- 5.9 In line with the CQC recommendation, individual involvement to enable people to have greater input into safeguarding services be improved;

As with social care generally, more traditional approaches to safeguarding adults have taken a "do unto" approach to ensuring that people are as safe as possible. It is increasingly recognised that if appropriately informed and supported, individuals can safeguard themselves, and that risk management plans are far more effective if they are developed **with** the individual instead of **for** them. This development work is reflected in the Safeguarding Adults Partnership Board development plan.

- 5.10 Members be made aware of adult safeguarding services, facilities and issues in their particular area and be briefed on relevant developments to raise safeguarding awareness levels to protect vulnerable adults from abuse and create a positive, open and transparent culture;

In the spirit of "safeguarding is everybody's business", members are in a key position to support and promote awareness within the community.

- 5.11 The NHS continue to be encouraged and supported to embed modernised empowering adult safeguarding in its working practices;

Historically NHS organisations have had a very low reporting rate for suspected or alleged abuse or risk of abuse, although staff within them are frequently in situations where they should be identifying and supporting circumstances that should be reported. Work is ongoing with safeguarding leads in NHS organisations to ensure

that staff are appropriately trained and supported to ensure that empowering safeguarding approaches are embedded throughout their respective organisations.

5.12 Consideration be given to devising an Adult 'Safeguarding Toolkit' similar to that issued by the Bracknell Forest Local Safeguarding Children Board; and

Consideration should be given to this in the context of the information already available to promote and support safeguarding adults, and relative priority in relation to the work programme for the Safeguarding Adults Partnership Board.

5.13 Consideration be given to the development of a Self-Neglect Policy for Bracknell Forest.

This relates to individuals who have capacity to make decisions, but make decisions which result in self neglect. This would be useful guidance for staff when they have no recourse to other powers to ensure wellbeing, such as those powers within the Mental Health Act 2007 and Mental Capacity Act 2005

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

6.1 The relevant legal provisions are contained within the main body of the report.

Borough Treasurer

6.2 The Borough Treasurer is satisfied that no significant financial implications arise from this report.

Equalities Impact Assessment

6.3 The recommendations will assist in ensuring that adults in the Borough are safeguarded from harm

Strategic Risk Management Issues

6.4 The Council has a statutory lead for ensuring that safeguarding approaches are embedded in the Borough. Although the performance management approach of the Adult Social Care regulator, the Care Quality Commission, is changing, and we are as yet unaware of the detail for the future, there will be a clear focus on Safeguarding. It is therefore essential that all appropriate avenues for strengthening our safeguarding arrangements are pursued.

7 CONSULTATION

Principal Groups Consulted

7.1 None

Method of Consultation

7.2 None

Representations Received

7.3 None

Background Papers

No Secrets
Staying Safe

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Exec Report – O&S Report on Staying Safe

TO: THE EXECUTIVE
18 JANUARY 2011

**OVERVIEW AND SCRUTINY REPORT ON “STAYING SAFE”
Director of Adult Social Care and Health**

Please note that the following paragraph was omitted from the report contained in the agenda. It explains that a recommendation originally made by the Working Group was withdrawn. Therefore the Executive was not asked to accept it.

5.14 The Staying Safe report made a further recommendation:

Increased flexibility and independence be incorporated into safeguarding reviews featuring the involvement of and / or conference chairing by someone independent of the team the subject of the case review, such as the Council's Head of Adult Safeguarding or a cost free reciprocal ad hoc arrangement with another local authority;

The Head of Adult Safeguarding currently chairs meetings where there are particularly complex or sensitive issues, or where there is a potential conflict of interest.

However, on further clarification of the implications of an arrangement with other local authorities, this recommendation was withdrawn.