

## MUNICIPAL YEAR 2009/10 REPORT NO. 27

### MEETING TITLE AND DATE:

Council – 1st July 2009

### REPORT OF:

Ray James  
Director of Health and Adult Social  
Care

<b>Agenda – Part: 1</b>	<b>Item: 9</b>
<b>Subject: Safeguarding Adults Strategy</b>	
<b>Wards: All Wards</b>	
<b>Cabinet Member consulted:</b> Cllr. Edward Smith	

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### 1. EXECUTIVE SUMMARY

- 1.1 The Safeguarding Adults Board (chaired by Ray James, Director of Health and Adult Social Care) identified the need to develop a strategy that would set out the key priorities for Safeguarding Adults work in the borough. The strategy is about preventing the abuse of some of the most vulnerable people in our society, as opposed to the current primary focus of responding to abuse once it has happened. Together with the considerable partnership work and consultation that has been necessary to produce the strategy, this progressive approach sets Enfield aside from most other local authorities.
- 1.2 The strategy is about how the people of Enfield, residents, visitors, businesses or members of organisations providing services, can work in partnership to make the Enfield a safer place. The key aim of the strategy is to prevent abuse and ensure that the most vulnerable people can live full and independent lives, free from harm and abuse, and where their dignity is respected, whatever their circumstances.
- 1.3 Safeguarding Adults is an issue that can affect anyone. The majority of instances of abuse towards vulnerable adults are a crime.
- 1.4 Safeguarding Adults is a high priority for regulators and is a key line of enquiry for the assessments of Council's performance.
- 1.5 The Safeguarding Adults Board is a multi agency partnership, which has the strategic responsibility for overseeing the safeguarding arrangements across the borough. Representatives include senior officers of the Council and its partners, and local people. This report also sets out the importance of Member representation on the Board, as this is a high profile area of the Council's work and an important issue

that can affect any member of the population.

- 1.6 At its meeting of 17<sup>th</sup> of June 2009, Cabinet discussed this item and agreed the following recommendations to Council.

## **2. RECOMMENDATIONS**

2.1 To agree the Safeguarding Adults Strategy which sets out the future direction and priorities of the Safeguarding Adults arrangements in the borough, for which the Council is the lead agency.

2.2 To agree that the Cabinet member for Adult Social Services or their nominee be a member of the Safeguarding Adults Board.

**Note:** A copy of the Safeguarding Adults Strategy Executive Summary is attached. The final version of the full strategy is available in the Members library and group offices for reference.

## **3. BACKGROUND**

- 3.1 In 2000, the Government published a document called 'No Secrets'. This document is guidance for local authorities on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse. The guidance was developed in response to a series of incidents that demonstrated the need for immediate action to ensure that vulnerable adults, who are at risk of abuse, receive protection and support. The key focus of 'No Secrets' was on responding to allegations of abuse.
- 3.2 Since the publication of the 'No Secrets' guidance, the Council and its partners have successfully developed local arrangements including producing a policy for responding to abuse, trained staff, organised events to raise public awareness of what adult abuse is and how to report it, collected and analysed information to learn from its work and implemented safeguarding arrangements across key partner organisations.
- 3.3 The 'No Secrets' guidance has recently been reviewed by government and announcements about the outcome are imminent. As well as widening the requirements for Safeguarding Adults and duties of local authorities, it is widely expected that it will include proposals for some statutory powers to support local arrangements.
- 3.4 The 'No Secrets' guidance describes a vulnerable adult as a person who is 18 years old or over, who may be vulnerable because of their age, illness or disability, and unable to protect him or herself against abuse. Abuse is a violation of a person's human and civil rights and there are different types of abuse, many of which are crimes. These include:

- **Physical abuse** including injuring someone, misusing medication, and using inappropriate rules and punishments.
- **Sexual abuse** such as rape and sexual acts that the person has not or could not consent to.
- **Financial abuse** such as fraud, exploitation, and theft of money or possessions.
- **Psychological abuse** to control someone, which can include humiliation, harassment, intimidation, use of threats and depriving someone of services or contact.
- **Discriminatory abuse** because of someone's race, gender, faith, age, sexuality or disability.
- **Neglect** such as withholding the necessities of life or ignoring medical, physical, educational or social care needs.
- **Institutional abuse** that occurs where systems within organisations allow, or do not prevent, neglect, poor professional practice or mistreatment.

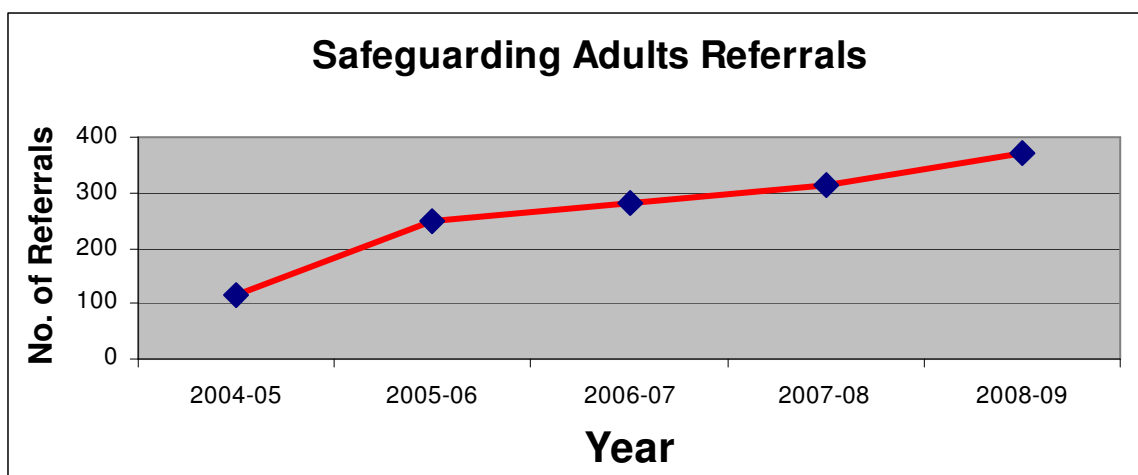
3.5 The term Safeguarding Adults has been introduced since the publication of the 'No Secrets' guidance in 2000 and has been adopted by the Association of Directors of Social Services (ADASS) and by most other local authorities. Safeguarding Adults replaced the term 'adult protection'.

3.6 The term 'adult at risk' has recently been introduced and replaces the term 'vulnerable adult'. An 'adult at risk' is the term used in the Safeguarding Adults Strategy.

3.7 The abuse and crimes against adults at risk remains largely under-reported. This is improving with local Safeguarding Adults activities and with high profile campaigns and media reports, such as the recent exposure on the Panorama television programme of the neglect of elderly patients at the Royal Sussex Hospital in Brighton.

3.8 The success of raising awareness in the borough is demonstrated in table 1. This table sets out the number of reports of allegations of abuse towards adults at risk since the publication of the multi agency policy for reporting and responding to allegations of abuse in 2003.

Table 1.



- 3.9 Despite this success and whilst figures are expected to continue to increase as awareness is raised, as well as ensuring people are protected and supported when an allegation of abuse is made, success must be about preventing abuse and harm occurring in the first place. On this basis, in 2008, a multi-agency project group was set up with the remit from the Safeguarding Adults Board (SAB) to draft, consult on and publish this strategy.
- 3.10 A comprehensive consultation process took place between the 1<sup>st</sup> of October and the 31<sup>st</sup> of December 2008. The consultation centred on a list of priorities that the multi-agency group and the SAB had agreed in consultation with people who use health and social care services. The priorities were set out in a questionnaire, which was included in the December edition of Our Enfield and sent to local residents. The consultation document was presented at a number of forums and meetings e.g. the Enfield Strategic Partnership, Safer Stronger Communities Board and Health & Adult Social Care Scrutiny Panel. Staff from across the Council and its partners also took part in the consultation.
- 3.11 The suggested priorities set out in the strategy consultation were:
- **A community awareness campaign** - So that Enfield residents will be able to recognise, prevent and report abuse.
  - **Self-protection strategies** - Advice, information and training to help vulnerable people set up safeguards to decrease the risk of, or prevent abuse.
  - **Standards for agencies and organisations working with vulnerable adults** - To ensure that high quality health and social care services are delivered in a person centred way that respects the dignity of the individual receiving them, and that systems are in place to safeguard vulnerable adults.
  - **A safeguarding adults charter mark** - Recognition for the achievement of agreed safeguarding standards, e.g. for businesses and community organisations.
  - **People arranging their own care** - People understanding how to protect themselves and knowing where to get help to do this.
  - **Access to the justice system** - Working with the police, the Crown Prosecution Service and the courts to ensure vulnerable adults get equal access to the justice system and to increase the number of prosecutions.
  - **Improving responses to abuse** - Making it easier to report abuse; supporting and enabling vulnerable adults at risk of abuse to recognise and prevent it; and access to a range of support services including places of safety.
  - **Information collection about abuse** - Using information to improve how we plan our work.
  - **Working with perpetrators of abuse and those at risk of harming others** - Identifying people at risk of abusing others and finding ways of stopping abuse.
  - **Providing a service that meets peoples needs** - We want people to feel they are listened to and most importantly, to feel safe. We need to learn from your experience and continually improve the service.

- 3.12 553 responses to the consultation were received which included strong support for the above priorities. The SAB have since accepted them as the key priorities for the strategy. In response to comments received, supporting has been added to the title of the priority 'people arranging their own care' and the title of the final priority has been changed to 'listening to the voice of people at risk of abuse'.
- 3.13 An easy read version of the strategy consultation document was produced and an easy read version of the strategy will also be published.
- 3.14 As agreed by the Safeguarding Adults Board, the executive summary of the strategy will be reviewed and edited as required by the Plain English Society and published with a Plain English Crystal Mark.
- 3.15 The Safeguarding Adults Board, which was set up in 2003, is a multi agency partnership, which has the strategic responsibility for overseeing the safeguarding arrangements across the borough. Key partners include the police, the Care Quality Commission, NHS Enfield, Barnet and Chase Farm, and North Middlesex NHS Hospital Trusts, the voluntary sector and local people.
- 3.16 Ray James, Director of Health and Adult Social Care chairs the Board and it meets on a quarterly basis usually on a Monday afternoon and dates for this year are Monday 8<sup>th</sup> of June, Monday 7<sup>th</sup> of September and Monday 7<sup>th</sup> of December. All meetings are held between 2pm and 4pm at the Civic Centre.
- 3.17 The involvement of Members is extremely important in ensuring that councils are discharging their responsibilities for safeguarding adults in each local area. In November 2008, the Commission for Social Care Inspection (now the Care Quality Commission) report of 'A study of the effectiveness of arrangements to safeguard adults from abuse' stated that "Local politicians are very interested in how their councils are performing in respect of safeguarding adults but have limited ways of judging this".
- 3.18 Members also have a key role to play in raising awareness and identifying the abuse of adults at risk when undertaking constituency work. At both local and national level the abuse of vulnerable adults is known to be taking place within residents own homes and by perpetrators who are family members, neighbours and friends. Individual Members also have knowledge and influence on areas in the Borough where the Board may need to focus its prevention work.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The alternative option is to continue to support an approach that has a primary focus of responding to abuse once it has happened. Without detracting from the need to undertake robust investigations when reports of abuse are made, this approach does not support the Council's key aim of 'A safer Enfield' and the related legislative framework for safeguarding adults.

## 5. REASONS FOR RECOMMENDATIONS

- 5.1 The Safeguarding Adults Strategy is a groundbreaking piece of work commissioned by the Safeguarding Adults Board and sets out a new direction for safeguarding adults work in the borough. It is the result of a comprehensive piece of work across the Council and its partners, and has involved, and is supported by local people. Across the country, the focus of safeguarding adults work has historically been to respond to the abuse and crimes perpetrated towards adults at risk. This strategy is about early prevention based on a strong partnership that involves local residents, visitors, businesses or other organisations providing services. It will ultimately help to make the Enfield a safer place for some of the most vulnerable members of our society and reduce the risk and incidences of crime perpetrated against them.
- 5.2 The aforementioned CSCI report (3.15) clearly states local authorities need to 'give more emphasis to prevention', and the outcome of the review of the 'No Secrets' guidance is expected to support this position.
- 5.3 The Personalisation agenda, which will transform the way social care services are commissioned and delivered, will give local people more choice and flexibility about the services they receive. Safeguarding adults and the prevention of abuse is an essential component of Personalisation and one of the priorities of the strategy is about people arranging their own care and understanding how to protect themselves and knowing where to get help to do this.
- 5.4 As noted in 3.15 and 3.16, Members have a key role to play in the prevention of abuse of adults at risk. The SAB has benefited in the past from member representation and the role was beneficial, not only as a representative on behalf of local people but also to act as a champion for safeguarding adults in the borough.
- 5.5 Finally, the Human Rights Act 1998 states that public authorities (and agencies providing services on behalf of public bodies) must be pro-active in protecting people's European Convention rights including the right to life (article 2), freedom from torture or inhuman or degrading treatment (article 3), right to liberty and security (article 5) right to respect for private and family life, home and correspondence (article 8). This means not violating people's human rights and also taking active steps to positively enhance people's human rights.

## 6 COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS

- 6.1 **Financial Implications** - There are no financial implications arising directly from this report. However, the implementation of the strategy and the priorities laid out in the consultation obviously has financial implications. The council's costs relating to the implementation of this strategy will be met from within existing resources.
- 6.2 **Risk Management Implications** - This initiative provides an opportunity for the Council to enhance its duty of care to people in social care by reducing its risks in the following areas:

- Not fulfilling its obligations under the 'No Secrets' guidance;
- Failing to reduce risk of harm to vulnerable adults by prevention rather than cure.

6.3 **Legal Implications** - The legal framework for this Strategy is set out within the body of the report. It is also necessary to note that the 'No Secrets' guidance has been issued under Section 7 of the Local Authority Social Services Act 1970 which means it is mandatory government guidance which should not be deviated from without good reason'.

6.4 **Property Implications** - the Safeguarding Adults Strategy does not have any property implications.

## 7 PERFORMANCE MANAGEMENT IMPLICATIONS

7.1 The development of this strategy has already evidenced an improvement in performance by strengthening the safeguarding adults partnership. The delivery of the strategy will further develop this, including the involvement of local people in decision making and strategic planning for safeguarding adults work in the borough. By applying resources to preventing abuse, it demonstrates a proactive and task orientated approach to reducing crime and improving outcomes for local people.

## 8 COMMUNITY IMPLICATIONS

8.1 The strategy will have a positive impact on all residents as the abuse of adults at risk is an issue that can affect everyone and is everybody's business. The priorities are supported by tasks that will ensure that an inclusive approach is taken to embedding the arrangements across all communities in the borough.

8.2 During the development of the strategy, an equalities impact assessment was completed.

## 9 PUTTING ENFIELD FIRST

9.1 The Safeguarding Adults Strategy directly supports:

- Aim 3, A safer Enfield - 3a. Work with partners to reduce crime and anti-social behaviour and respond to the fear of crime
- Aim 4, A healthier Enfield where people are able to live independent lives - 4a. Enable the most vulnerable members of the community to have as much choice and control over their quality of life as possible, 4b. Ensure that the most vulnerable are safeguarded and treated with dignity and respect at all times and, 4.g. Work with partners to ensure that older people stay healthy, independent and play an active part in their communities
- Aim 5, Provide high quality and efficient services - 5a. Deliver excellent customer focused services that are accessible to all, 5e. Provide effective community leadership and promote active citizenship and involvement in

decision-making and, 5f. Work with partners to develop multi-agency, integrated, locally focused services tailored to meet the needs of all residents

- Aim 6, Build prosperous, sustainable communities, 6d. Tackle discrimination; promote equality of access and good relations between all groups in the community.

### **Background Papers**

1. Safeguarding Adults Strategy consultation document questionnaire
2. Safeguarding Adults Board Terms of Reference

**END OF REPORT**