

6th March 2013**Agenda Item: 4****REPORT OF INDEPENDENT CHAIR OF NOTTINGHAMSHIRE
SAFEGUARDING ADULTS BOARD****NOTTINGHAMSHIRE SAFEGUARDING ADULTS BOARD****Purpose of the Report**

1. The purpose of this report is to inform the Health and Wellbeing Board of the work of the Nottinghamshire Safeguarding Adults Board and to provide a summary of the NSAB annual report 2011/12.

Information and Advice**Introduction**

2. The Nottinghamshire Safeguarding Adults Board is the multi-agency group of senior managers from key organisations responsible for developing and implementing processes to safeguard vulnerable adults. 'Safeguarding Adults' encompasses work undertaken to help individuals who may need community care services to retain independence, wellbeing and choice and to help maintain their human right to live a life that is free from abuse and neglect. The Board was established in April 2008 and has built upon the seminal work undertaken by its predecessor, the Nottinghamshire Committee for the Protection of Vulnerable Adults (NCPVA). Allan Breeton was appointed as independent chair for NSAB in the autumn of 2009.
3. The Board has been implementing the recommendations in the Department of Health (2000) "No Secrets" report which has been key in providing much of the early impetus for the safeguarding adults' agenda. It provided guidance to local agencies that have a responsibility to investigate and take action when a vulnerable adult is believed to have been subject to abuse. It offers a structure and content for the development of local inter-agency policies, procedures and joint protocols which draw on good practice nationally and locally. The much quoted sentence from No Secrets "There can be no secrets and no hiding place when it comes to exposing the abuse of vulnerable adults", remains at the heart of all safeguarding adults' work.
4. This guidance has more recently, in 2005, been supplemented by the ADASS document "Safeguarding Adults: A National Framework of Standards and outcomes in adult protection work"

5. Our vision for Nottinghamshire with regard to safeguarding adults is of a county where all adults can live a life free from any form of abuse or neglect. The aim of the board is **‘to safeguard vulnerable adults from harm and abuse by effectively working together’**. The Board has produced a coordinated multi agency policy which ensures a consistent approach to safeguarding is applied across the county. It has developed a culture of cooperation and critical review which has led to improvements in practice and outcomes for those adults at most risk of abuse.

The Sub Groups

6. There are four sub groups which sit under the Nottinghamshire Safeguarding Adults' Board with representatives of each of the statutory agencies. These sub groups; Quality Assurance, Serious Case Review, Training and Communications, deliver the strategy and actions arising from the Board.

Quality Assurance

7. The Board monitors the quality of its safeguarding response via the Quality Assurance (QA) sub group. The Quality Assurance sub-group is chaired by the Group Manager within the Council who has lead responsibility for Safeguarding Adults. Regular audits of safeguarding assessments are undertaken and learning fed back to individual practitioners and wider audiences as relevant. The key functions of the QA sub group are to:
- Provide NSAB with information on issues of quality, performance and audit.
 - Ensure service user/carers involvement and participation and feedback.
 - Assure the safeguarding adult process and practice across the County.
 - Assure the quality of the NSAB policy and procedures
 - Monitor organisational action plans
 - Audit the functions and process of the safeguarding board
 - Assure Inter-organisational arrangements are effective
 - Assure intra-organisational governance arrangements are in place
 - Develop recommendations for future Quality Assurance systematic annual Board audit
8. The sub group has recently developed a “Thresholds and Pathways” document which supports the multi-agency procedures and provides further advice and guidance on the referral process. This document is now being used by relevant statutory agencies and by independent sector providers and voluntary sector agencies.

Serious Case Review

9. At the present time the sub group is chaired by the Chief Officer of Newark and Sherwood, and of Ashfield and Mansfield Clinical Commissioning Groups, who is also the Director of Nursing and Integrated Governance for NHS Nottinghamshire County. The group has representation from health, social care and the police. The sub group ensures that cases of death or serious harm that involve abuse or neglect are thoroughly investigated. Its aim is find out why things went wrong and then to ensure that lessons are learned and shared across agencies. A Serious Case Review is commissioned where there has been multi-agency involvement and where there may have been factors of multi-agency working which may need to be improved to prevent the situation arising again in the future.

10. Serious case reviews have been undertaken under national guidance since 2007. During that time NSAB has commissioned five serious case reviews within Nottinghamshire; three in 2009, one in 2010, one in 2011 and the most recent review was commissioned in February 2012. The executive summaries and recommendations relating to each of these Serious Case Reviews are published on the Council's internet site. In each of these cases the Independent Author made a series of recommendations (which are available on Nottinghamshire County Council's website) to ensure that lessons are learned by the relevant agencies so that similar circumstances are, wherever possible, avoided in the future. Recent serious case reviews involving adults with pressure ulcers have led to improved monitoring, documentation, recording, and treatment for adults with pressure ulcers and a more coordinated multi agency response.

Training

11. The Board continues to oversee the delivery of both individual and multi-agency training via the training sub group. The sub group is chaired by the Multi-Agency Training Coordinator with the Safeguarding Adults Strategic Team. The sub group is made up of managers who hold key roles within the learning and development functions within their agencies. The sub group seeks to ensure that appropriate levels of training are provided across the County and that this is accessible to statutory, independent and voluntary organisations.
12. This comprises of the regular and ongoing training which is provided for Safeguarding Referrers, Investigating Officers, Safeguarding Managers and Training for Trainers. In addition, the Board hosted a "one off" training event which considered the criminal offence introduced by Section 44 of the Mental Capacity Act (2005) – "Wilful neglect or ill treatment of a person who lacks capacity". This event brought together a range of police, health and social care practitioners to explore the issues connected with this relatively new piece of legislation and to find ways of overcoming barriers to its appropriate use.

Communications

13. The Communications sub group is chaired by one of the County Council's Senior Audience and Communications Officers. This group has two important roles, the first of which is to raise awareness about safeguarding adults with front line staff including social workers, police officers, and with care workers including those who work within the independent sector, so they understand how to recognise adult abuse, how to report concerns and what processes are involved.
14. The second role is to raise awareness with the general public so they know what adult abuse is, who might be affected and how they can report it. The "good neighbour campaign" was launched by the communications sub group in June 2012 as one part of the Board's wider communication strategy. This campaign aims to raise awareness of what we can do to "look out" for those who may be more at risk in our communities.

The Multi Agency Partnership

15. The Nottinghamshire Safeguarding Adults Partnership is a broad group of organisations drawn from across Nottinghamshire consisting of agencies from the public, private and voluntary sector that have an interest in Adult Safeguarding. The Partnership meets twice yearly and provides for a two way flow of information between NSAB and those organisations which are able to contribute to the safeguarding agenda. We have forged strong links with the Nottinghamshire Coroner who gave a presentation at a recent Partnership event which was extremely well received. In May this year the half day event focused on raising awareness of the Mental Capacity Act. It included presentations and case studies and allowed those present to consider what further work is needed to fully embed the Act within their organisations.
16. Much of the work of the Partnership is focused on raising awareness of safeguarding and ensuring all agencies and their staff are able to identify safeguarding concerns and are familiar with the process to follow to make a “referral”. Our work in this area has contributed to the high number of safeguarding referrals which Nottinghamshire historically has in comparison to neighbouring Council areas.

Safeguarding Adults’ Peer Challenge

17. In November 2011 NSAB commissioned a peer review into all aspects of safeguarding adults in the County to provide independent scrutiny and quality assurance of its safeguarding processes. This was conducted in accordance with the Local Government Group Safeguarding Adults Peer Challenge Group methodology which had originally been developed by the Improvement and Development Agency (IDeA). The Association of Directors of Adult Social Services (ADASS), the Social Care Institute for Excellence (SCIE) and the NHS confederation have endorsed the standards used. These standards focus on identifying opportunities for improvement and learning in 8 main areas:

- Outcomes
- People’s experience of safeguarding
- Leadership
- Strategy
- Commissioning
- Service delivery and effective practice
- Performance and resource management
- Local Safeguarding Adults Board

18. The Peer Challenge was chaired by an independent person, Mr Mike Evans, who is a former Director of Social Services in Leeds and who is currently the Independent Chair of Cumbria’s Safeguarding Adults’ Board. The findings of the peer challenge team were that safeguarding adults practice and procedures in Nottinghamshire are basically “sound”. A detailed report was produced with a number of recommendations and associated action plan. The Board is currently overseeing the implementation of this.
19. Key work streams arising from the peer challenge include the introduction of the “National Capability Framework” for safeguarding adults, the development of a service user engagement strategy, a review of performance data provided to the Board and a review of the multi-agency policy, procedures and practice guidance.

Multi Agency Safeguarding Hub (MASH)

20. NSAB has fully supported and contributed to the development of the MASH which recently went “live” for adults on Monday 28th January 2013. The MASH provides agencies with a single point of contact for all adult safeguarding referrals. This will ensure that Safeguarding Adults is able to reap the full benefits of closer inter agency working at the point of referral and throughout the safeguarding process.

Annual Report 2011/12 – Key Facts and Figures

21. The Board produces an annual report which contains both statistical and qualitative information on its performance and that of adult safeguarding in the preceding year. Our more recent annual reports reflect feedback and are shorter with less statistics, user friendly, focused on outcomes and how the Board has “made a difference”.

22. After a slight fall last year, this year has seen the continued upward trend in the number of safeguarding referrals made to Nottinghamshire County Council from 880 in 2007/8 (when Nottinghamshire commenced recording safeguarding data as a single Local Authority) to a total of 2,939 referrals being received in 2011/12. The more recent increase in referrals is due to increased awareness of adult safeguarding due to effective local communication initiatives and as a result of greater national publicity following high profile reports and media stories such as that at Winterbourne View.

23. NSAB also collates data in relation to the number of referrals by service user group and age band. As we might expect the figures for 2011/12 show high numbers of referrals relating to elderly people with significant numbers in the 75-84 and 85+ categories. The other area of high numbers of referrals is within learning disabilities.

24. A comparison of the last 2 years’ figures showing the number of referrals by service user group and age band shows a significant increase in the number of referrals in the Learning Disability (455 to 679) and Mental Health (253 to 336) categories and this coincides with the BBC Panorama programme screened in May 2011 highlighting abuse at Winterbourne View, Bristol, an independent hospital which provided services for adults with Learning Disabilities. The publicity generated by this, combined with the rigorous analysis of the issues in the subsequent serious case review, has led to a considerable amount of safeguarding activity involving a number of agencies including the Care Quality Commission, commissioners of services and the independent sector. Additionally, the independent sector has accessed the multi-agency training programme provided by the Board thus increasing their knowledge and awareness of the safeguarding agenda. This is likely to account for some of the increase in referrals in this category.

25. Recent benchmarking data from comparator local authorities has indicated that the numbers of referrals that lead on to a safeguarding assessment are broadly similar in number to those of other authorities. The data showed that the numbers of safeguarding assessments in Nottinghamshire are in the middle ranges when compared to those of other comparator local authorities.

26. The statistical returns provided to central government concentrate on those referrals which led to a safeguarding assessment. In Nottinghamshire, 1,137 of the 2,939 referrals received in 2011/12 went on to assessment. Guidance has been produced in terms of a “Thresholds and Pathways” document which compliments the multi-agency procedures and provides

practical examples of circumstances which require a safeguarding referral. It is anticipated that once this guidance is embedded into practice we will see a reduction in the percentage of referrals which don't subsequently go on to require a full safeguarding assessment.

27. Additionally, it is anticipated that the work undertaken by staff at the MASH and the advice they provide to the people who make referrals will ensure that only the appropriate referrals are progressed on to safeguarding assessments. Where the referrals do not warrant a safeguarding assessment, the referrers will be notified of the process under which their referral will be addressed – in some instances this will trigger the need for a self-direct support assessment to determine social care needs. The work undertaken by staff at the MASH will enable greater consistency of decision making in terms of those referrals which require a full assessment.

Legislative Changes and Next Steps

28. On 11th July 2012 the Government published its response to the Law Commission report on Social Care - "reforming the law for adult care and support: the Government's response to the Law Commission". In it the Government pledged to:

- create a new statutory framework for adult safeguarding, to clarify the roles and responsibilities of local authorities and other organisations
- ensure there is a Safeguarding Adults Boards in every local authority area, as the vehicle for co-ordinating partners activity on safeguarding
- consult on whether to introduce new powers for local authorities to enable them in their safeguarding enquiries

29. There has been much debate recently over the issue of terminology and the Law Commission favoured a move away from the term "vulnerable adult" and to the term "adult at risk". However, the Government's view is that the use of any particular descriptive term in the legislation will be problematic and unlikely to be future proof or suitable for a modern care and support statute. The Government also dismisses the proposal to set definitive criteria for who would be considered to be at risk of harm. The Government's "preference would be to define the scope of safeguarding in law with clearer reference to concepts of "abuse" and "neglect". This is where the core work of adult safeguarding should sit, "where adults in vulnerable situation are hurt because of actions (or lack of action) of others".

30. The clear message from Government is that it will place adult safeguarding on a statutory framework and that "adult safeguarding activity should be focused on cases where a person is at risk as a result of the act or omission of another".

31. Whilst the current arrangements for safeguarding adults are not set in legislation, there are already well established and strong partnership arrangements in place within Nottinghamshire with both relevant statutory agencies and voluntary sector agencies contributing to the work of the Board. As such, NSAB is already well positioned to undertake any statutory responsibilities which the forthcoming legislation may bring. Any changes to adult safeguarding resulting from Government legislation will be reflected in future reviews of the multi-agency procedures.

Conclusions

32. The work undertaken by NSAB continues to develop and the Board, through its sub groups, ensures that agencies are ensuring that the multi-agency policies and procedures are being implemented effectively throughout their relevant organisations. The Board will continue to ensure that health and social care services help to reduce the risk of harm and that where harm has been known to have taken place, that effective processes are in place to prevent individuals from further harm.

Statutory and Policy Implications

33. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

1) It is recommended that the Health and Wellbeing Board note the contents of this report.

ALLAN BREETON

Independent Chair of Nottinghamshire Adults' Safeguarding Board

For any enquiries about this report please contact:

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Constitutional Comments (NAB 25.02.13)

34. The Health and Wellbeing Board has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (CLK 25.02.13)

35. There are no financial implications contained within the report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

a. Peer Challenge Report

Electoral Division(s) and Member(s) Affected

All