

Report to: Partnerships Scrutiny Committee

Date of Meeting: 14 September 2017

Lead Member / Officer: Lead Member for Independence and Well-being/
Service Manager, Community Support Services

Report Author: POVA Co-ordinator

Title: Annual Report on Safeguarding Adults in Denbighshire 1st
April 2016 – 31st March 2017

1. What is the report about?

This report constitutes the annual performance report for Safeguarding Adults in compliance with statutory guidance and provides an overview of the impact of local safeguarding arrangements and practice.

2. What is the reason for making this report?

To provide Members with an overview of the impact of Local Safeguarding arrangements and practice and to review progress in this key area of work over the last twelve months. To refer to data which reflects figures submitted by the Local Authority on an annual basis to the Welsh Government Data Unit. It also shows the progress made in response to the areas of concern raised by CSSIW in their Annual Review and Evaluation of Performance for 2016 – 2017.

3. What are the Recommendations?

That members receive and comment on the report and acknowledge the important nature of a corporate approach to the safeguarding of adults at risk and the responsibility of the Council to view this as a key priority area and to place it alongside the commitment and significance given by Denbighshire to Child Protection.

4. Report details – Background

4.1 CSSIW's letter in June 2017 relating to the Performance Review of Denbighshire County Council Social Services raised the following areas of concern in relation to the council's performance within the field of adult protection:

"During 2016/17 CSSIW continued to identify areas of concern and raised these directly with managers as they arose. Issues included lack of involvement of the individual or their carers in the safeguarding process, care providers being asked to investigate themselves without oversight, minutes being incomplete and lacking key information, timeliness of strategy meetings and safeguarding cases left incomplete."

Senior Managers have strongly refuted some of these concerns (see appendix 1) and have asked for a meeting with the Chief Inspector to discuss CSSIW's approach to Denbighshire.

5. Adult Protection Activity in Denbighshire 2015 – 2017

| Year | Reports(referrals) received |
|-------------|-----------------------------|
| 2013 - 2014 | 298 |
| 2014 - 2015 | 354 |
| 2015 - 2016 | 355 |
| 2016 - 2017 | 527 |

Headlines from 2016-17

- Significant increase (48%) in number of reports (referrals) received
- 31% of cases progressed to Strategy Meeting
- Half of the reports received are from provider agencies
- Highest categories of abuse are physical (39%) and neglect (31%)
- Paid employees are the highest category (59%) of person alleged responsible for abuse

See Appendix 2 for the headlines of safeguarding data 2016 - 17

5.1 Performance Indicators

There is only one national performance indicator currently relating to Adult Protection: the number of enquiries completed within 7 working days.

Our compliance for this first year has been 76%

6 Developments

6.1 Since January 2016 there have been significant changes to the framework within which the Safeguarding Team works following an internal restructure and the implementation of the Social Services and Wellbeing (Wales) Act 2014.

The Safeguarding Team in Denbighshire has been strengthened considerably during the last 18 months. The team now consists of the following staff:-

- Team Manager
- 2 deputy team managers
- 2 x Full time Safeguarding Administrators
- Part time Deprivation of Liberty Administrator
- 2 social workers

6.2 The current model of delivery has been adapted to deliver the safeguarding process determined by the Social Services and Well-being (Wales) Act 2014. Part 7 of the Act relates to Safeguarding and requires local authorities to investigate where they suspect that an adult with care and support needs is at risk of abuse or neglect. This is referred to as an enquiry.

6.3 The Guidance (volume 1) on Part 7 of the Act indicates that in broad terms, there should be three phases to an enquiry:

- screening,

- initial evaluation,
- determination.

The screening is undertaken as a priority by Single Point of Access, who check the general factual accuracy of the referral. The initial evaluation and determination are processes undertaken by the Safeguarding team. If the decision (determination) is to proceed to a Strategy Meeting – then we currently follow the Wales Interim Policy and Procedure for the Protection of Vulnerable Adults, whilst we await further volumes of the guidance, that are currently being developed, including work to refresh the Wales Interim Policy and Procedure.

6.4 Within locality, complex disability and mental health teams there are 15 team managers and deputies who undertake the Designated Lead Manager (DLM) role. If the outcome of an enquiry is to proceed to a Strategy Meeting, a DLM from the relevant team will arrange and chair the strategy meeting and co-ordinate the safeguarding process to its conclusion.

6.5 Since strengthening the Safeguarding Team’s capacity a great deal of work has been carried out to streamline processes and ensure safeguarding referrals are dealt with and completed in a timely manner. The number of safeguarding referrals closed within a year indicates the improvement in this area:

| | |
|-----------|-----|
| 2014 – 15 | 79 |
| 2015 – 16 | 101 |
| 2016 - 17 | 186 |

6.6 Earlier this year the Safeguarding Team became co-located in Ruthin. Bringing the administrative element of the team together in one place has strengthen the support they provide and enabled more efficient sharing of knowledge, expertise and workload. Extra administrative capacity has also been funded to deal with the DoLS work, which could also support the safeguarding element of the work in future.

6.7 Quality issues are still captured during the closure process as well as during the quarterly audits, but the issues are dealt with in a more appropriate forum via a coaching and mentoring sessions between Senior Practitioner (Safeguarding Lead) and DLM’s in Locality teams. Internal processes to facilitate the correct closure of every case have also been reviewed and amended. Quarterly audits are carried out by Principal, Service and Team Manager on a random sample of safeguarding cases. Whilst the quality of the contents of Strategy Meeting minutes have steadily improved especially in relation to ascertaining the capacity and consent of the adult at risk and the evaluation of risk; the timeliness of meetings remain an area for improvement.

7 Deprivation of Liberty Safeguards (DoLS)

7.1 As reported in previous Scrutiny Reports the Supreme Court Judgement on 19/3/14 and further case law sparked a considerable increase in DoLS activity nationally and this is no different in Denbighshire. The Law Commission has undertaken a review of the current DoLS framework across England and Wales, and Consulted on a range of significant reforms in autumn 2016. The Government reject the initial reforms recommended by the law commission, but accepted revised reforms which were

published in a white paper in April 2017. These reforms recommend significant changes in the both the process and delivery of the safeguards going forward. Unfortunately the reforms were not contained in the Queens speech for the current parliament and their implementation cannot be expected within the next 3-4 years. DoLS arrangements and processes remain unchanged in the meantime.

- 7.2 During this year 68 authorisations were in place and 314 applications were received. There are currently 397 on the waiting list.
- 7.3 There have been 6 individuals who have exercised their legal right to appeal to the Court of Protection in the past 12 months, as a result of the DoLS authorisation being in place. The court has made determinations in 3 instances, dismissing the appeals, with 3 cases ongoing.
- 7.4 Coaching and mentoring has been provided on a regular basis to best interest assessors (BIA's) by the senior practitioner (DoLS lead) and this has increased the confidence and ability of BIA's to undertake assessments (8 per year) as a minimum. A small grant of £15,000 FROM Welsh Government was utilised to fund additional assessments which BIA's undertook in their own time. This provided an additional 65 assessments over the 12 month period.

8. How does the decision contribute to the Corporate Priorities?

The Safeguarding Adults arrangements contribute directly to the corporate priority to protect vulnerable people and enable them to remain living independently.

9. What will it cost and how will it affect other services?

This service is already featured within existing budgets.

10. What are the main conclusions of the Well-being Impact Assessment? The completed Well-being Impact Assessment report can be downloaded from the website and should be attached as an appendix to the report

A Well-being Impact Assessment is not required as this report proposes no changes to policy.

11. What consultations have been carried out?

Not applicable.

12. Chief Finance Officer Statement

There are no financial implications arising directly from this report

13. What risks are there and is there anything we can do to reduce them?

- Volume of work for Safeguarding Reports and DoLS applications and keeping to required timescales
- Utilization of skill mix within the Safeguarding Team to increase capacity to deal with enquiries.
- Increasing costs of DoLS work i.e. medical assessments, IMCA, Court applications.

- Complying with the judgement in relation to individuals living in the community, where an application to the Court of Protection is required.
- To date we have taken 4 cases to Court which have resulted in authorisations. We have focused on Complex Disability team and reviewed caseloads to come up with a list of 147 individuals that need to be considered for court applications relating to deprivation of liberty in community settings. RAG status applied to each individual based on objection and level of deprivation. Currently working with our Legal Department on applications to Court for another 6 individuals.
- Delay in recruitment to deputy team manager and social work post.
- Two locum social workers have been recruited to cover vacant posts to ensure there is capacity within the team to deal with the workload whilst recruiting for permanent staff.

14. Power to make the Decision –

- 14.1 Scrutiny's powers with respect to this matter are set out in Section 21 of the Local Government Act 2000 and Section 7 of the Council's Constitution.

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