

**2014/2015 ANNUAL REPORT OF THE CITY AND HACKNEY SAFEGUARDING
ADULTS BOARD (CHSAB)**

Key Decision No. HCS L44

CABINET MEETING DATE (2015/16)

23 November 2015

COUNCIL MEETING DATE

25 November 2015

CLASSIFICATION:

Open

**If exempt, the reason will be listed in the
main body of this report.**

WARD(S) AFFECTED

All Wards

CABINET MEMBER

Cllr McShane

Health, Social Care, and Culture

KEY DECISION

Yes

REASON

Affects Two or More Wards

CORPORATE DIRECTOR

Kim Wright, Corporate Director of Health and Community Services

1. CABINET MEMBER'S INTRODUCTION

- 1.1 The safeguarding of adults at risk in Hackney is a key priority for Hackney Council and its partners and I welcome this annual report. It sets out an appraisal of safeguarding adult's activity in Hackney and City in 2014/2015 and I endorse the ongoing ambition that Hackney continues its journey to excellence with its partners in respect of this critical area of work. I am pleased with the governance and preparatory arrangements that the City & Hackney Safeguarding Adults Board has worked to put into effect in readiness for the implementation of the Care Act 2014. I welcome the appointment of our new independent chair, Dr Adi Cooper, to lead on the multi-agency implementation of the Board's new Adult Safeguarding strategy. I also endorse the development of a new support team to manage and support the operations of the Board and to enable the Board to learn about safeguarding effectiveness across the boroughs. I am confident that there are high quality adult safeguarding systems in place in Hackney, under the stewardship of the Board, and that these systems and services will continue to protect adults at risk from abuse and harm and ensure that the Council fulfils its new duties under the Care Act.

2. CORPORATE DIRECTOR'S INTRODUCTION

- 2.1 This annual report provides an assessment of the key developments in local multi-agency adult safeguarding systems in 2014/2015 along with a statistical analysis of the casework activity in Hackney. I am pleased with the progress of the City and Hackney Safeguarding Adults Board against its key objectives and in preparing for the Care Act 2014. This Annual Report is presented as a partnership document, and is representative of the work carried out by statutory and other agencies in the City and Hackney to assist some of our most vulnerable residents to live life free from abuse and neglect.

3. RECOMMENDATION(S)

Cabinet is recommended to:

Note and endorse the 2014/2015 Annual Report of the City and Hackney Safeguarding Adults Board (CHSAB) and recommend the Report to Council for 25th November 2015.

Council is recommended to:

Note and endorse the 2014/2015 Annual Report of the City and Hackney Safeguarding Adults Board (CHSAB).

4. REASONS FOR DECISION

This is in accordance with the established statutory governance arrangements of the CHSAB, which sets out that, amongst others, it reports annually to Hackney Council's Cabinet.

5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

N/A

6. BACKGROUND

- 6.1 The London Borough of Hackney and the City of London have diverse, vibrant communities, with many organisations and individuals not only providing effective adult safeguarding, but also being committed to the Safeguarding Adults Board and the partnership it represents. The City and Hackney Safeguarding Adults Board (the Board) is a multi-agency partnership of statutory and non-statutory stakeholders, including the Metropolitan Police, East London Foundation Trust, London Fire Brigade and the Homerton NHS Foundation Trust. This report sets out an appraisal of safeguarding adults activity of those agencies across the City of London and Hackney borough in 2014/2015.
- 6.2 This was a significant year in the history of adult safeguarding, as the Board prepared for the Care Act 2014 to come into force on 1st April 2015. The importance of adult safeguarding, and of the partnership working that underpins it, is recognised in the Act. Safeguarding Adults Boards are the bodies that test out the effectiveness of that partnership working and the past year has been one where the City and Hackney Board has done that in a number of ways.
- 6.3 In 2014/15, the Board set out, firstly, to develop the way in which it works together as a partnership to achieve its aims; and, secondly, to create a partnership budget and set up a small team to support the Board, which had previously been supported by some dedicated individuals from the local authority as part of many other adult safeguarding responsibilities held by that team. Significant strides were made in both these areas. The partnership budget was agreed for the future of the Board, and the Board's support team has been established. That City and Hackney have achieved this is testimony to the importance that the organisations here give to adult safeguarding.

7. THE CARE ACT 2014

- 7.1 The 2014/2015 year saw the Board prepare proactively for the introduction of the Care Act 2014. Implemented in April 2015, the Act represents the most significant reform of care and support legislation in more than 60 years. It outlines a general duty for local authorities to consider the physical, mental and emotional wellbeing of people needing care and support, with an emphasis on taking steps to prevent, reduce or delay needs for care and support for all local people, including adults and carers. The Care Act states that protection from abuse and neglect is central to the concept of a person's wellbeing.

7.2 The Care Act sets out a clear statutory framework for how local authorities and other key partners, such as care providers, health services, housing providers and criminal justice agencies, should work together to protect an adult's right to live in safety, free from abuse and neglect. It introduces new safeguarding duties for local authorities including: leading a multi-agency local adult safeguarding system; making or causing enquiries to be made where there is a safeguarding concern; carrying out Safeguarding Adults Reviews; arranging for the provision of independent advocates; and hosting Safeguarding Adults Boards.

7.3 In setting out a statutory requirement for Safeguarding Adults Boards for the first time, the Care Act establishes three core duties for those Boards: The Board must:

- Publish a strategic plan for each financial year that sets out how it will meet its main objectives and what the members will do to achieve this. The plan needs to be developed with local community involvement and in consultation with local Healthwatch organisations.
- Publish an annual report detailing what the SAB has done during the year to achieve our main objectives and implement its strategic plan.
- Conduct any Safeguarding Adults Review in accordance with section 44 of the Act.

This annual report is provided in line with this requirement.

7.4 The report sets out that all adult safeguarding work in the City and Hackney will now be based upon the six principles set out in the Care Act's national statutory guidance:

- **Empowerment** – People being supported and encouraged to make their own decisions and give informed consent
- **Prevention** – It is better to take action before harm occurs
- **Proportionality** – The least intrusive response appropriate to the risk presented
- **Protection** – Support and representation for those in greatest need
- **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.

8. KEY ACHIEVEMENTS

8.1 In preparing for the Care Act, key achievements for the Board in 2014/2015 include:

- Developing a CHSAB Adult Safeguarding strategy for 2015 – 2020.

The strategy is accompanied by an annual work plan for 2015/16 to begin delivering on this. In October 2015 the Board will begin a public consultation with partners, other agencies and members of the community regarding its strategy. Learning from this will directly inform reviews of the strategy and the Board's 2015/2016 delivery plan.

The strategy sets out the four additional principles that the Board agreed in February 2015 would underpin its work locally:

- All our learning will be shared learning

- We will promote a fair and open culture
- The skill-base of our frontline staff and managers will be improving continuously
- We will understand the local complexity of safeguarding
- Recruiting a new independent chair.
Dr Adi Cooper began in June 2015 and has since been active in leading and supporting the partnership in managing its compliance with the Care Act. The Board is extremely grateful to the outgoing chair, Fran Pearson, for her leadership over the years, particularly in further developing how the Board can work together as a partnership and in creating a partnership budget and Board support team to deliver effective adult safeguarding arrangements under the Care Act 2014.
- Developing our governance and subgroup arrangements.
The Board's five year strategy describes its new governance framework, which includes subgroups and task and finish groups. The Board now has five subgroups:
 - Safeguarding Adults Review
 - City of London
 - Quality Assurance
 - Training & Development
 - Communications & Engagement
 Functions of these groups include: prevention; applying lessons learned from incidents through our training programme; increasing public awareness; promoting the health and wellbeing of people in our communities; with the overall aim of increasing independence and ensuring that proportionate action is taken to safeguard our vulnerable residents.
- Developing a support team structure.
The Board is now supported by a Board Manager and Support Officer, who look to manage the operations of the Board and its subgroups, enabling the Board to learn about the effectiveness of safeguarding work across the Boroughs and providing management focus to the development, delivery and monitoring of its strategy.
- Adopting a logo and new branding
This has helped to affirm the Board as a multiagency entity that has a strategic role which is greater than the sum of the operational duties of its partners.
- Developing the Safeguarding Adults Review (SAR) process in line with the Care Act requirement.
The Board now has a refreshed Safeguarding Adults Review Protocol in place and in operation. This is overseen and implemented by the Safeguarding Adults Review subgroup.
- Developing a Safeguarding Adults protocol to meet the requirements of the Care Act.

This will be further revised following publication of the Pan London Adult Safeguarding policy and procedures in October 2015. The Board will convene a short task and finish to seek assurance that agencies are preparing sufficiently for implementing the new procedures in January 2016.

- Delivering safeguarding awareness campaigns across the City of London and Hackney boroughs.
These included poster, factsheet and leafletting campaigns accessing multiple venues (from care homes and surgeries to pharmacies, libraries and other community settings (see Engagement and Involvement below for more information)).

9. SAFEGUARDING ADULTS REVIEWS

- 9.1 One Safeguarding Adults Review was held in 2014-2015. This concerned Mrs A and Mr B, who were residents of a supported housing complex. Mrs A was being supported by adult social care and Mr B was known to mental health services. Mr B was arrested and Mrs A was admitted to hospital and was later discharged to a nursing home
- 9.2 The Review identified the need to improve risk assessments for new residents of supported living schemes so as to look in more detail at how a scheme as a whole might be affected by a new resident. The review also identified areas for improvement in staff training and development, and the need for better ways of drawing concerns to the attention of senior managers in complex cases. It was also recognised that improved multidisciplinary working, including better communication, was required.
- 9.3 Finally, the review asked the Board to develop improvement plans in two particular areas: working with sexually active older people, and managing fire risk. The Board has accepted the findings and recommendations of the review and has incorporated them into its strategic plan. A summary report will be published on the Board's website as a separate document.

10 ANALYSIS OF KEY DATA: 2014-15

- 10.1 There was a decrease in safeguarding alerts in Hackney in 2014/15 compared to 2013/14. However, the general increase in alerts over the previous four years suggests people have responded to the Board's communications and training programme. 672 safeguarding adult alerts were received in 2014/15 (the same number as in 2012/13). The alerts remain at a high level compared to those from five years ago, although the trend of increasing alerts year-on-year has stabilised.
- 10.2 Financial abuse remains the most prevalent type of abuse, accounting for 25.9% of cases, although there has been a reduction in these cases since last year. 23.9% of cases reported were for neglect and acts of omission, which remains at the high level recorded last year.
- 10.3 Some adults at risk will have more than one safeguarding alert raised in a year. The 672 safeguarding alerts were received for 641 adults. 613 people had one alert raised in 2014/15, 26 had two raised, one had three, and one had four raised. Of the 29 repeat alerts, 16 (55%) went on to receive a safeguarding investigation, and of these 16 investigations there were six cases where abuse was substantiated or partially substantiated. In 2015/16 we will be analysing reasons for repeat alerts and consider what work could be done to prevent repeat alerts in the future.

- 10.4 The proportion of alerts that became accepted safeguarding cases has slightly reduced since last year from 38% to 33%.
- 10.5 A high percentage of abuse of people by someone they know was confirmed again last year in the analysis of the 270 cases that progressed to completion. 58% of investigations found the source of risk to be known to the adult at risk. 56% of investigations also found that the location of abuse was the victim's own home. The prevalence of domestic abuse by family members is consistent with previous analyses
- 10.6 As with last year's data there are more cases where the outcome of a safeguarding investigation is 'inconclusive' rather than 'not substantiated', which may indicate more complex investigations taking place. There is a close correlation between the three years of data. Further analysis of these results is required to understand the high level of inconclusive investigations.
- 10.7 The Report shows there is a notably greater proportion of members of the black community who are receiving long term support from Hackney compared to the proportion of the same community who are the subject of safeguarding investigations. Conversely, the proportion of white members of the community receiving long term services is significantly smaller than the proportion who have been the subject of safeguarding investigations. Further analysis will be required as the Department of Health ethnicity requirements for the SAR are minimal and do not account for the large ethnic mix in the borough – the Jewish Community in particular must be included as 'White' for Department of Health returns. It is also notable that Hackney has no undeclared ethnicities recorded for Social Care Services because of a change in the way in which data is recorded for long term services on the new Social Services Database. This will also be the case next year when all safeguarding data will come from the same system.
- 10.8 The number of alerts regarding adults at risk with substance misuse issues has dropped down its lowest levels. The number of adults at risk with learning disabilities has also reduced by 9%. Alerts from older people with mental health problems has reduced to the levels seen prior to last year. Further investigations of these figures is required to ascertain whether or not this is a recording anomaly or whether there are practice issues. Female adults at risk experience a slightly higher proportion of safeguarding alerts at 52%. This is a consistent pattern.

11 DEPRIVATION OF LIBERTIES SAFEGUARDS DATA 2014-2015

- 11.1 Caring for people with complex needs and cognitive impairment sometimes requires a restriction of their freedom in their best interests. A high level of restriction can amount to a deprivation of their liberty under Article 5 of the European Convention on Human Rights. Such a deprivation can only take place if it is properly authorised in accordance with the 2009 amendments to the Mental Capacity Act or by the Court of Protection. The Safeguarding Adults Team is Hackney's "supervisory body", responsible for authorising deprivations of liberty for people residing in care homes or hospitals, when the relevant criteria are met.

11.2 The supervisory body continued to promote a person-centred, human rights-based approach to ensure that people who use services are not exposed to unacceptable risks. The team also appointed Independent Mental Capacity Advocates to support people through the assessment process and sometimes when the authorisation is in place, if they do not have any family or friends who can take on this role.

11.3 In 2014/15 there were 344 applications for deprivations of liberty. 38 had the applications withdrawn and six applications were not signed off at the time we completed our statutory return. Of the remaining 300 applications 270 (90%) were approved and 30 (10%) were not granted. This is a considerable increase in Deprivation of Liberty Safeguards applications from 2013/14, when there were only 23 applications for Deprivation of Liberty Safeguards authorisations, of which 13 (57%) were approved.

11.4 The increase in applications was predicted following the Supreme Court's judgment in the "Cheshire West" case in March 2014. Hackney responded to this challenge in a number of ways:

- Recruiting and training more Best Interests Assessors to carry out Deprivation of Liberty Safeguards assessments.
- Making use of independent Best Interests Assessors when necessary to meet demand.
- Keeping up to date with case law and Department of Health guidance to prioritise the most complex cases.

The following issues are still proving challenging due to the substantial increase in demand:

- Obtaining input from IMCAs in a timely way to inform the authorisation process.
- Getting up to date information from hospitals to prevent assessors turning up to assess a patient who has already been discharged.
- Finding assessors for service users placed outside greater London so as to keep within the statutory timescales
- Securing representatives for service users placed outside greater London who do not have family or friends.

11.5 118 (39%) of the last year's 300 applications were urgent requests and 83 (70%) of these were completed within the statutory timescales of 14 days. The remaining 35 (30%) were not completed on time. 182 (61%) of the 300 applications were standard requests and 138 (76%) of these were completed within the statutory timescales of 21 days. The remaining 44 (24%) were not completed on time.

11.6 The most common reason for delay was the non-availability of assessors to complete the assessments within the timescale. A report in Community Care (August 4th 2015) stated that of applications received by the 93 councils from April to June 2014, 28% had either still not been signed off by the supervisory body or had been withdrawn by the provider. The proportion of cases not signed off or withdrawn rose to 48% for applications received in July to September 2014, 58% for October to December 2014, 67% for January to March 2015 and 71% for April to June 2015. Based on these

figures, Hackney is performing at a comparatively high level in managing the Deprivation of Liberty Safeguards applications.

11.7 In order to meet this increase further the Council has employed an additional administrator for six months to support the management of the applications and engaged independent Best Interest Assessors to conduct Best Interests assessments as part of the Deprivation of Liberty Safeguards authorisation process. Additionally, the Safeguarding Adults Team has also recently (October 2015) completed a Benchmarking Outcomes Appraisal of the management of this increase. This will inform a proposal to the Health & Community Services directorate for measures to manage the Deprivation of Liberty Safeguards going forward. These will include:

- Continuing to operate a rota of Hackney social workers trained to conduct Best Interests assessments.
- Employing two dedicated Best Interest Assessors to undertake this work.
- Continuing to use independent Best Interest Assessors when required to meet demand.

11.8 The total cost of the provision of Best Interests assessments as part of the Deprivation of Liberty Safeguards process in in 2015-2016 will be approximately £200,000. In 2014-2015 this was approximately £70,000.

12 ADULT SAFEGUARDING STRATEGY 2015-2020

12.1 The Board will work towards the following outcomes over the next five years:

- **Prevention** – People at risk of abuse or neglect are able to protect themselves from harm and help each other.
- **Choice and Empowerment** – People make informed decisions and choices, and manage the risks they take.
- **Listening and Engaging** – Using the views and experiences of our service users, patients, carers and staff to improve and develop services across the partnership.
- **Standards and Accountability** – People at risk of abuse or neglect using care and support agencies get safe and appropriate services that keep them safe and respect their dignity at all times.
- **Access and Protection** – City and Hackney residents have fair and equitable access to all services across the safeguarding partnership.

12.2 The Strategic Plan for 2015/16 outlines what the Board is aiming for and what we expect to be different because of our joint work in delivering the strategy. Our Annual Development Day held in February 2015 agreed our strategic outcomes, guiding principles and planned objectives for 2015/16. As noted above, there will be a consultation on this strategy, as required by the Care Act 2014. The Board's 2015/16 Annual Report will evaluate progress, and consider what we have learned and changed.

13 PRIORITIES FOR 2015-2016

13.1 The critical areas for development of adult safeguarding over the coming year include:

- Embedding the principles outlined in the Safeguarding Adults Strategy 2015-20 and achieving the milestones outlined for the 2015/16 strategic plan.
- Ensuring that all safeguarding practice is underpinned by the six key principles in the Care Act (outlined in the introduction) and by the ethos of *Making Safeguarding Personal*.
- Ensuring that the training needs of all partner agencies are understood and that safeguarding training (including training on the categories of abuse added by the Care Act) is available to, and taken up by, all partner agencies including the voluntary and community sector.
- Embedding learning from Safeguarding Adults Reviews to improve practice via mechanisms such as a self-neglect protocol.
- Developing strong links with the voluntary sector (including both commissioned and non-commissioned services) to enable increased service user and community engagement. This should include working with special interest groups (including faith and cultural groups) on prevention and early intervention in relation to safeguarding issues such as domestic abuse, FGM, forced marriage, domestic slavery.
- Development of the Designated Adult Safeguarding Manager role and process (in each partner agency).
- Adoption of the Pan London Safeguarding Policies and Procedures and development of local supporting policies for City and Hackney.
- Development of the Board's website.
- Ensuring effective functioning of the five Board subgroup.

14. ENGAGEMENT AND INVOLVEMENT

14.1 The Board has continued to benefit from representation from the Older Persons Reference Group and is building on good relationships with local Healthwatch branches to ensure that people in our communities directly influence the Board's work.

14.2 The Board has continued to develop effective ways of engaging with the community to raise awareness about abuse and neglect of adults at risk. As previously mentioned, in 2014/15 Safeguarding Awareness campaigns were held in both the City of London and Hackney. Their focus was to raise awareness of abuse and how to take action to prevent or deal with it. As well as the poster, factsheet and leafletting initiatives, these campaigns also included: case studies/media stories in Hackney Today and specific community newspapers; the use of on-line communities; the provision of accessible information (such as through translations, easy read versions, screen reader enabled documents, Braille and audio); yearly planned events included safeguarding adults participation, for example, the Big Do (for people with Learning Difficulties), Older Persons Reference Group event, and World Mental Health Day, and events for service users, carers and professionals such as Carers week.

14.3 The Board's safeguarding publicity material was reviewed to ensure Care Act compliance, with leaflets and pamphlets being widely available for the public. A "Making Safeguarding Personal" leaflet is now available on the Hackney website.

14.4 During 2014/15 there were 4,329 hits on the Safeguarding Adults section of the Hackney council website. This is a small increase on 2013/2014 when there were 4,027 hits. These figures will be kept under review in the year ahead.

14.5 In 2014/15 Hackney Council provided training free of charge to 361 individuals from a range of organisations working with or representing adults at risk and their carers. The majority of delegates came from partner agencies, such as the voluntary sector and care providers. A training course on the safeguarding implications of the Care Act 2014 was provided. During 2014/15, 34 training events took place, an increase from the 28 training events held in 2013/2014.

15 EQUALITY IMPACT ASSESSMENT

15.1 The Report highlights equality considerations in terms of the ethnicity, age, and gender and disability status of people about whom a safeguarding concern has been reported to the statutory agencies. These considerations are laid out within partners' analysis of safeguarding adults activity data.

15.2 Additionally, in October 2015 the CHSAB is launching a public consultation with partners, other agencies and members of the community regarding its Five year Strategic Plan. The CHSAB will use this consultation to inform an Equality Impact Assessment of that Strategy and its implementation through Annual Work Plans.

16 SUSTAINABILITY

N/A

17 CONSULTATIONS

N/A (although note para. 15.2 above)

18 COMMENTS OF THE CORPORATE DIRECTOR OF FINANCE AND RESOURCES

18.1 This report reflects on the 2014/15 financial year within the City and Hackney Safeguarding function. There are no direct financial implications arising from this report, however for context Hackney Council's Safeguarding team has a budget of just under £300k.

18.2 The Care Act and the widening out of the responsibilities under the Mental Capacity Act has meant an increase in the responsibility of the local authority in this area. This has been recognised in the 2015/16 financial year by the Department of Health through the allocation of one off grants totalling £25m nationally for DoLS related functions. Hackney received £150k.

19 COMMENTS OF THE CORPORATE DIRECTOR OR LEGAL, HR AND REGULATORY SERVICES

19.1 Since 2000 and the publication of "No Secrets" the local authority has been required to take a leading coordinating role with all relevant organisations on safeguarding adults in its area, the Care Act now places this in primary legislation for the first time. The Care Act 2014 puts adult safeguarding on a legal footing. From April 2014 each local authority was required to do the following:

- Make enquiries, or ensure others do so, if it believes an adult is subject to, or at risk of, abuse or neglect. An enquiry should establish whether any action needs to be taken to stop or prevent abuse or neglect, and if so, by whom
- Set up a Safeguarding Adults Board (SAB) with core membership from the local authority, the Police and the NHS (specifically the local Clinical Commissioning Group/s) and the power to include other relevant bodies
- Arrange, where appropriate, for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry or Safeguarding Adult Review (SAR) where the adult has 'substantial difficulty' in being involved in the process and where there is no other appropriate adult to help them
- Cooperate with each of its relevant partners in order to protect adults experiencing or at risk of abuse or neglect.

19.2 The Care Act establishes three core duties for Safeguarding Boards: The Board must:

- Publish a strategic plan for each financial year that sets out how it will meet its main objectives and what the members will do to achieve this. The plan needs to be developed with local community involvement and in consultation with local Healthwatch organisations.
- Conduct any Safeguarding Adults Reviews as may be required.
- Publish an annual report detailing what the SAB has done during the year to achieve our main objectives and implement its strategic plan.

This annual report is provided in line with this requirement.

APPENDIX

Appendix 1 - The City and Hackney Safeguarding Adults Board Annual Report 2014-2015

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