

**2015/2016 ANNUAL REPORT OF THE CITY & HACKNEY SAFEGUARDING ADULTS BOARD****KEY DECISION NO. CACH N22****CABINET MEETING DATE 2016/17**

31 October 2016

**COUNCIL MEETING DATE 2016/17**

30 November 2016

**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 Devolution

**KEY DECISION**

Yes

**REASON**

Affects Two or More Wards

**GROUP DIRECTOR**

Kim Wright Neighbourhoods and Housing

## **1. CABINET MEMBER'S INTRODUCTION**

- 1.1 The safeguarding of adults at risk of abuse and neglect in Hackney remains a key priority for Hackney Council and its partners and I welcome this annual report from the City & Hackney Safeguarding Adults Board (CHSAB).
- 1.2 The report sets out an appraisal of the Board's work and of adult safeguarding activity in Hackney and the City of London in 2015/16 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 business arrangements that the CHASB has put into effect since the implementation of the Care Act 2014 from 1 April 2015. I welcome the leadership that Dr Adi Cooper as brought to the partnership since being appointed as our independent chair in June 2015, the work of the new CHSAB business support team in managing and supporting the Board's operations across the boroughs, and the contributions of all partners to effective local adult safeguarding. I am confident that there are quality adult safeguarding arrangements in place in Hackney, under the stewardship of the Board and its partners, and that these arrangements and services will continue to safeguard adults at risk from abuse and harm while ensuring that the Council fulfils its new duties under the Care Act 2014.

## **2. GROUP DIRECTOR'S INTRODUCTION**

- 2.1 The CHSAB annual report provides an outline and assessment of the work of the Board and the developments in local multi-agency adult safeguarding systems in 2014/2015, along with a statistical overview of key adult safeguarding activity in Hackney and the City of London. I am pleased with the ongoing development of the CHSAB as a key partnership body and with the progress that the CHSAB has made against its strategic objectives in its first year under the auspices of 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 free from abuse and neglect.

## **3. RECOMMENDATION(S)**

### **Cabinet is recommended to:**

Note and endorse the CHSAB Annual Report 2015/16 and recommend the report to the Council on 30 November 2016.

### **Council is recommended to:**

Note and endorse the CHSAB Annual Report 2015/16.

## **4. REASONS FOR DECISION**

This is in accordance with the established statutory guidance and governance arrangements of the CHSAB, which sets out that it reports annually to Hackney Council.

## 5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

N/A

## 6. BACKGROUND

6.1 The CHSAB is a partnership of statutory and non-statutory organisations representing health, care and support providers and the people who use those services across the City of London and the London Borough of Hackney. These partners include Hackney Council, Metropolitan Police, East London NHS Foundation Trust, London Fire Brigade, the Homerton University Hospital Foundation Trust, the City & Hackney Clinical Commissioning Group, Hackney Council for Voluntary Services, and Healthwatch Hackney. The work of the CHSAB is driven by its vision that in the City and Hackney 'People should be able to live a life free from harm in communities that are intolerant of abuse, work together to prevent abuse and know what to do when it happens'. The main objective for the Board, to achieve this vision, is to assure itself that effective local adult safeguarding arrangements are in place and that all partners act to help and protect people with care and support needs in the City and Hackney.

### **The Care Act 2014**

6.2 The Care Act 2014, enacted on 1 April 2015, states that protection from abuse and neglect is integral to its central concept of a person's well-being. For the first time legislation 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.

6.3 Under section 43 of the Act, the CHSAB has three core duties that it must fulfil in achieving its main objective. These are:

- Develop and publish a Strategic Plan setting out how it will meet its objective
- Commission Safeguarding Adults Reviews (SARs) for any cases that meet the criteria for these reviews, under section 44 of the Act
- Publish an annual report detailing how effective its work has been

The annual report is provided in line with this core duty.

### **The Annual Report**

6.4 The annual report is provided in line with the CHSAB's statutory duty (above). The report sets out:

- The CHSAB Strategic Plans for 2015/16 (p.22) and 2016/17 (p.24)
- The financial arrangements for the CHSAB (p.10)
- What the Board has achieved over the 2015/16 year, including
  - Commissioning Safeguarding Adults Review (SARs) (p.14)
  - Board Business Support (p.16)
  - Multi-agency learning and development (p.16)

- Public Consultation (p.17)
- Partner self-audits (p.20)
- Adult safeguarding activity data (p.25)
- How its partners have contributed to the work of the Board to promote effective adult safeguarding (p.32)
- Case examples (throughout the report)

## **7. KEY ACHIEVEMENTS**

7.1 Members of the CHSAB reviewed the annual report, discussed their achievements during 2015/16 and contributed to the key messages outlined below:

- The CHSAB has continued to develop firm foundations in terms of organisational structure, policy development and process. 'Business as usual' continued, whilst at the same time partners implemented change to ensure full compliance with the Care Act 2014. The CHSAB adopted and implemented the revised Pan London Multi Agency Adult Safeguarding Policy and Procedures. We also consulted on the revised CHSAB Strategy.
- The CHSAB infrastructure was embedded: all the subgroups are now stable and functioning and contributing to delivering the CHSAB work streams. Partners are committed to attending meetings and taking an active role as members of the CHSAB and the sub-groups. Despite some local issues, the funding of the CHSAB and the development of the supporting business infrastructure has been very positive: CHSAB management and business support has been very effective supporting the CHSAB with more capacity to deliver its properties and work plans. Links with the Health & Wellbeing Boards have improved.
- The culture and approach of the CHSAB has improved and awareness of challenges in the CHSAB has assisted considerably in holding partners to account. It has also resulted in the CHSAB being better attended, partners are more engaged and there are a lot of more challenging discussions e.g. at the CHSAB Development Day.
- There is agreement in the CHSAB about targeting vulnerable and deprived areas to raise awareness of safeguarding adults, and finding ways to build links into different communities. The role of the CHSAB has been publicised in the voluntary sector, through consultation on the strategy for example, and building on the understanding of the Care Act. This is contributing to raising public awareness of adult safeguarding and understanding of how to report concerns.
- There was an increased focus on hearing the voice of people experiencing adult safeguarding activity, through work on the

'Making Safeguarding Personal' approach. Some partners had done work with staff on this area through training and development activity.

- The CHSAB is committed to ongoing learning and there has been a great deal of learning lessons arising from the SARs. In particular members wanted to ensure that the learning from the SARs results in change and improvement e.g. regarding working with people who self-neglect. The CHSAB is developing and testing processes to be able to be assured that SARs have the desired impact, improvement strategies are implemented and there is appropriate learning.
- There have been improvements in partnership working, such as through the high risk panel set up as part of the work on self-neglect; and closer working regarding domestic abuse.
- Training continued to be a priority and there were developments around joint training and prioritised training for the voluntary sector.
- There was an emphasis on increased staff awareness and embedding the knowledge of the Mental Capacity Act, and application of MCA/DOLS effectively and successfully.

7.2 For further details of the key achievements during 2015/16 please see pages 12 to 31 of the annual report, followed by contributions from the board partners setting out how they have contributed to the work of the CHSAB and the ongoing improvement of local safeguarding arrangements from pages 32 to 89.

7.3 CHSAB members also discussed the key challenges moving forward, which included:

- There was an emphasis on increased staff awareness and embedding the knowledge of the Mental Capacity Act, and application of MCA/DOLS effectively and successfully
- Building on momentum of the previous year's activities
- Gaining collective 'buy-in' to changes in safeguarding practice
- Being able to demonstrate changes in practice resulting from implementing recommendations arising from SARs and demonstrating a culture of learning
- Ensuring that the Making Safeguarding Personal is embraced by ALL CHSAB partners
- Recognising the funding pressures for partners as this will remain a huge challenge for the CHSAB

## **8. SAFEGUARDING ADULTS REVIEWS (SARS)**

8.1 The CHSAB instigated three new SARs this year and at year-end was considering another referred case. One SAR that the Board had commissioned in the previous year continued to run its course throughout the 2015/16 year. None of the four SARs completed their processes before the end of March 2016. It is anticipated that all these SARs will complete and deliver overview reports in the 2016/17 year.

## **9. KEY HACKNEY ADULT SAFEGUARDING ACTIVITY DATA 2015/16**

9.1 The report presents key data regarding adult safeguarding activity in Hackney (and the City of London, pages 25 - 31). Hackney received 661 safeguarding concerns (formerly known as 'alerts') in the year, slightly fewer than 672 in 2014/15. Concerns remain at a high level compared to five years ago (405 in 2010/11), although the trend of an increasing number of reported concerns year-on-year prior to this period has continued to be stable.

9.2 Of those 661 concerns, 404 were not considered to be safeguarding issues, 257 were investigated and 214 of those investigations were completed in the 2015/16 year, with 43 ongoing at year end. The completed investigations indicated that the highest prevalence types of abuse in Hackney were cases of Neglect/Acts of Omission (31%) and Financial/Material Abuse (27%). Of the completed investigations, 37% of the concerns were found to be Inconclusive, 26% Not Substantiated, 23% Substantiated and 14% Partially Substantiated (the investigation was closed in <1% of the cases). This is broadly in line with the previous year.

9.3 77% of the concerns were reported to take place in the person's own home. In 68% of the concerns the person alleged to have caused harm was known to the person at risk, an increase from 58% in the previous year. There was a slight decrease in the number of recorded concerns where the person alleged to have caused harm was identified as social care support staff or as some unknown to the person, 16% down from 18% in the previous year.

9.4 As with last year, there is a notably greater proportion of members of people identifying with a Black or Black British ethnic group who are using social care services compared to the proportion of the same community who are the subject of safeguarding investigations (p. 26).

9.5 Adult social care services now work with a higher proportion of people identifying with a White ethnic group clients compared to last year. This year sees the proportion of such people who are the subject of safeguarding investigation is more in line with the proportion of people using social care services.

## **10. KEY HACKNEY DEPRIVATION OF LIBERTY SAFEGUARDS DATA 2015/16**

10.1 Caring for people with complex needs and cognitive impairments may sometimes require 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 legally if it is properly authorised in accordance with the Deprivation of Liberty Safeguards (DoLS) amendments to the Mental Capacity Act 2005, or by the Court of Protection. The Safeguarding Adults & DoLS Team fulfils Hackney's role as "supervisory body" under the DoLS, responsible for receiving authorising applications for deprivations of liberty of people residing in care homes or hospitals when the relevant criteria are met. The report presents some key data regarding the management of these safeguards by Hackney (p.27).

- 10.2 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.
- 10.3 In 2015/16 there were 682 applications for deprivations of liberty made to the Team. This was a 98% increase compared to the 344 applications received in the 2014/15 year. Of these applications, 82 were withdrawn, 61 were not granted, 31 were not signed off at the time of reporting, and 508 were granted. This increase continues the trend experienced from 2013/14, when there were only 23 applications were received, of which 13 were authorised. Currently the DoLS service is operating at full strength and cost, with no waiting list, and 95% of DoLS authorisations were completed within the statutory timeframe. This is a very high level of performance compared to the national picture. Data published by the Health & Social Care Information Centre revealed that nationally 41% of the DOLS applications made within 2014-15 had not been signed off by 31 March 2015 and it is likely that the national situation will have worsened in the following year.
- 10.4 The considerable increase in DoLS applications was predicted last year following the Supreme Court's judgment in the "Cheshire West" case in March 2014. The estimated additional cost of meeting the Council's duties in respect of DoLS is £300K per year. This cost pressure has been included within the Council's Medium Term Planning Forecast and will be addressed as part of the Council's budget development process for 2017/18. The costs for 2016/17 are being met from reserves available for Adult Social Care.
- 10.5 The London Borough of Hackney and the City of London were required to report to the CHSAB periodically on their DoLS work so that the partnership could monitor and be assured that the supervisory bodies were continuing to promote and safeguard people's rights and appropriate care.

## **11. PRIORITIES FOR 2016/17**

- 11.1 The CHSAB has identified the following areas for development in 2016/17, as set out in the its next annual plan. The priorities were informed by the CHSAB's public consultation (see 'Consultations' below):

*The CHSAB will raise awareness of adult safeguarding and together will learn from experience*

- CHSAB members engage with local communities and the community and voluntary sector
- Develop a model for ongoing user engagement with the CHSAB
- Promote learning from everyday practice.
- Inform the work of the CHSAB with service user feedback about the safeguarding service
- Implement Safeguarding Adults Reviews action plans, and the CHSAB monitor the impact of SAR learning
- Influence services with learning from Serious Case Reviews and Domestic Homicide Reviews
- Establish an effective CHSAB Communications Strategy

*The CHSAB will promote a fair and open culture*

- Embed safeguarding into contracts to ensure that quality and safeguarding issues are monitored
- Safeguarding audits provide assurance to the CHSAB of improvements in practice
- Ensure safe and transparent processes for sharing concerns about safeguarding practice are in place

*The CHSAB will understand how effective adult safeguarding is across the communities we work with*

- Agree, test and review regularly a framework for adult safeguarding activity and trend data, so that emerging risks are identified and local responses influenced accordingly
- Improve understanding of local communities and needs – to be developed with better information
- Work with other Boards to address cross cutting issues, including the 'Think Family' approach

*Improve the competency of all those involved in adult safeguarding*

- Establish a multi-agency training programme informed by the CHSAB priorities
- Embed the Making Safeguarding Personal approach in practice across the partnership
- Establish agreed minimum standards for supervision of safeguarding practice across the partnership

## **12. ENGAGEMENT & INVOLVEMENT**

12.1 The CHSAB partnership has continued develop how it engages and involves representatives from the communities with whom it works as well as services working with those communities. The CHSAB continues to benefit from representation from the Older Persons Reference Group and an Expert by Experience who uses local services is a member of the CHSAB's Communication & Engagement sub-group. The CHSAB is also building on good relationships with the local Healthwatch Hackney and Healthwatch City



of London branches, with representatives from both now attending full Board meetings.

- 12.2 The CHSAB continued to develop effective ways of engaging with the community and services working across Hackney and the City of London to raise awareness about abuse and neglect of adults at risk. The CHSAB's public consultation on its strategic principles and priorities was a significant aspect of this engagement (see 'Consultations' below for more information about this).
- 12.3 The CHSAB has particularly benefited from the support and involvement of Hackney CVS, which facilitated the significant involvement of both community services and people who use services locally in the CHSAB's public consultation. Hackney CVS have helped to establish a link of dialogue between Hackney CVS representatives have actively participated in CHSAB meetings as well as the Board's SAR, Training & Development and Communication & Engagement sub-groups. The Hackney CVS lead for safeguarding currently chairs the latter.
- 12.4 In 2014/15 the CHSAB in conjunction with Hackney Council provided training on adult safeguarding issues free of charge to 528 individuals from a range of organisations working with or representing adults at risk and their carers across Hackney and the City of London. The CHSAB was mindful to ensure that training was held in a variety of venues (such as hosted by Hackney Council, Hackney CVS and the City of London Corporation) to promote good local attendance. The training sessions covered a range of topics: safeguarding adults awareness, domestic violence, modern slavery, coercion & emotional abuse, self-neglect & hoarding, train the trainer training for CVS services, and adult safeguarding lead training for CVS services.

### **13. EQUALITY IMPACT ASSESSMENT**

- 13.1 The report highlights equality considerations in terms of the ethnicity of people who are the subject of a safeguarding concern that was reported to the given social services, in line with the yearly statutory reporting requirements of local authorities. See 'Key Hackney Adult Safeguarding Activity Data 2015/16' above.
- 13.2 The CHSAB's three month public consultation in 2015/16 (see 'Consultations' below) provided a profile of the people who responded to the consultation's questionnaire, which is broadly in line with the ethnicity data noted above:

The majority of respondents 73.3% (44), were Hackney residents, while only 1 identified as a City of London resident. Those who indicated that they lived within Hackney were asked to provide their partial post code. Most respondents from within Hackney listed N16 as their postcode 21.7% (13) followed by 18.3% (11), who listed E5 as their postcode. One respondent from the City of London responded to the consultation.

The majority of respondents were female 61.7% (37). 26.7% (16) were male, while 11.7% (7) did not answer. 71.7% (43) of the respondents said they were heterosexual, followed by 1.7% (1) who said they were bisexual and 1.7% (1) who said they were a lesbian or gay woman. The highest proportion of respondents 25.0% (15) were in the 65-84 age group. This was followed by respondents in the 45-54 and 55-64 age groups (both 21.7%, 13 each).

51.7% (31) of the respondents gave their ethnicity as White or White British, followed by 23.3% (14) who gave their ethnicity as Black or Black British. The remaining respondents are from various minority ethnic groups. 68.3% (41) of the respondents said that they did not have a disability, while 21.7% (13) said they did. The highest proportion of respondents 50.0% (30) indicated that they held Christian beliefs, followed by those who stated having no religion 28.3% (17).

The CHSAB will use the data from the local authority's statutory reporting and from the consultation to inform how it delivers on its 2016/17 strategic plan.

#### **14. SUSTAINABILITY**

None.

#### **15. CONSULTATIONS**

15.1 The CHSAB ran a significant public consultation from 23 October 2015 to 15 January 2016 to involve the community, statutory and non-statutory providers, including Hackney Healthwatch and City of London Healthwatch, in the development of the Board's Five Year strategy. This strategy will lead the development of the CHSAB's annual strategic plans over the coming years. The consultation set out four key local principles that the CHSAB had suggested and five strategic aims that the CHSAB should look to achieve in realising its main objective. People were asked for their views and suggestions about the principles and aims and what action they thought the CHSAB should take.

This process enabled the CHSAB to fulfil its statutory obligation under schedule 2 of the Care Act 2014 to prepare its annual strategic plan in consultation with local Healthwatch organisations and the communities in its areas.

15.2 People were consulted through a variety of media and forums such as: a dedicated Citizen Space consultation webpage online; printable and easy read version questionnaires; distribution of hard copy questionnaires; local press; Hackney Council staff communication processes; #OurDay tweets; partner and community service provider newsletters; nearly 50 specific agencies and forums approached to help publicise the consultation; attending existing forums and specifically arranged events (with the welcome support of Hackney CVS) to engage providers and members of the community; attending *The Big Do* for people with learning disabilities; presenting at the Older People Reference Group's annual conference; presenting and

workshopping at a City of London's *Safer in the City* event, etc. There were 60 individual questionnaire responses on paper and online. These responses were reviewed in conjunction with aggregated feedback from a number of consultation forums that also provided rich feedback from over 250 attendees.

15.3 Overall, 77% of people who responded in the consultation thought that the principles suggested were the right ones for the CHSAB and its local work. The CHSAB amended the wording of some principles based on the instrumental responses received:

- *'We will raise awareness of adult safeguarding and together will learn from experience'*
- *'We will promote a fair and open culture'*
- *'We will understand how effective adult safeguarding is across the communities we work with'*
- *'Improve the competency of all those involved in adult safeguarding'*

These principles will underpin the CHSAB's work in 2016/17.

15.4 Again 77% of respondents overall also thought that the strategic aims that the CHSAB had suggested were the right ones on which the partnership should focus. The CHSAB has used this understanding to develop its annual strategic priorities for 2016/17 (see 'Priorities for 2016/17' above).

15.5 The consultation also identified the following key messages below, both from the questionnaires received and from the people who contributed to the face-to-face consultation events and forums:

- *Engagement with the community & providers*  
CHSAB partners and statutory agencies attend CVS and community forums
- *More 'presence' in the City*  
Develop a CVS network in the City
- *Disconnect from professionals / the professional process*  
Statutory agencies communicate back to people raising safeguarding concerns, who feel respected
- *Raise awareness of abuse and neglect*  
People in the community learn about safeguarding  
CHSAB website
- *Learning & development*  
Multi-Agency training opportunities, especially for CVS services, members of the community and people who provide services

The CHSAB has also taken these key messages into account when devising its 2016/17 priorities.

## 16. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

16.1 The CHSAB was funded via partner contributions during 2015/16. Income commitments were received and assigned towards delivery costs for CHSAB priorities.

16.2 The table below sets out Income and Expenditure position for 2015/16 and projections for 2016/17. A surplus of £103,000 was generated in 2015/16, the first year of the new board, and was carried forward into the following financial year. The surplus reflected delays with appointing a support team for the Board.

<b>City and Hackney Safeguarding Adult Board</b>	2015/16 Outturn £	2016/17 Forecast £
Income from partner contributions:	(176,739)	(195,250)
Staff	59,390	125,465
Independent Chair	11,113	18,000
Safeguarding Adult Reviews		12,500
Operative Costs (Training & Communications)	2,747	35,000
	73,248.94	190,965
Net Surplus	(103,490)	(4,285)

16.3 The above expenditure breakdown represents direct costs in respect of Board responsibilities and these are expected to continue into 2016/17 financial year. Net surplus from 2015/16 is committed towards 2016/17 planned expenditure.

16.4 Income projection for 2016/17 assumes all contributions will be received as there is confirmation from some partners with a few others yet to be verified. Finance support to the Board will continue to ensure expenditure reporting in 2016/17 is managed effectively alongside Partner expectations and responsibilities.

## 17. COMMENTS OF THE DIRECTOR OF LEGAL

17.1 The Care Act 2014 (s.43) 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.

17.2 In relation to DoLS, this is an area which is still receiving a great deal of attention and will continue so for the foreseeable future. The Government Statistical service has reported in its official statistics report dated 28<sup>th</sup> September 2016 that, 'overall 195,840 DoLS applications were reported as having been received by councils during 2015-16. This is the most since the DoLS were introduced in 2009 and represents 454 DoLS applications received per 100,000 adults in England'. This official statistics report provides the finding from the Mental Capacity Act 2005, Deprivation of Liberty Safeguards (DoLS) data collection for the period 1 April 2015 to 31<sup>st</sup> March 2016.

17.3 The Law Commission is currently reviewing the law relating to DoLS. Its initial conclusion, announced in May 2016, is that the problems underlying DoLS can be resolved only by wholesale replacement of the system and reform of the law. A final report with recommendations and a draft Bill is expected in December 2016. This will need to be considered in detail when it is published to assess its impact on the local authority and to follow its progress to Royal assent being given.

## APPENDIX

Appendix 1- City & Hackney Safeguarding Adults Board Annual Report  
2015/16

### BACKGROUND PAPERS

None.

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