

## HEALTH AND WELLBEING BOARD

19 FEBRUARY 2019

### KENT AND MEDWAY SAFEGUARDING ADULTS BOARD (KMSAB) ANNUAL REPORT 2017-18

Report from: Deborah Stuart-Angus, Independent Chair of KMSAB

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#### Summary

In accordance with the Care Act 2014, the Kent and Medway Safeguarding Adults Board is required to publish an Annual Report each financial year. The 2017-18 Annual Report (Appendix 1) sets out the responsibilities and structure of the Board and then details how the multiagency partnership delivered against its five priorities for the year. The report also provides safeguarding activity information and summarises the Board's priorities for 2018-2019. An easy read version of the report has been commissioned and will be made available on the Board's website.

The Annual Report was endorsed by the KMSAB on 13 November 2018. It is made available on the Board's website.

This report was considered by the Health and Adult Social Care Overview and Scrutiny Committee on 17 January 2019 and the comments of this Committee are set out at section 5 of the report.

#### 1. Budget and Policy Framework

1.1 The Care Act 2014 placed Safeguarding Adults Boards on a statutory basis from April 2015. The Care Act (14.116) states that the following organisations **must** be represented on the Safeguarding Adults Board:

- Local Authority
- Clinical Commissioning Groups in the Local Authority's area
- Police

1.2 The Care Act (14.10) also requires that each Local Authority **must**:

- make enquiries, or cause others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect; an enquiry should establish whether any action needs to be taken to prevent or stop abuse or neglect, and if so, by whom
- set up a Safeguarding Adults Board

- arrange, where appropriate, for an independent advocate to represent and support an adult who is the subject of a safeguarding enquiry or Safeguarding Adults Review (SAR) where the adult has 'substantial difficulty' in being involved in the process and where there is no other suitable person to represent and support them
  - co-operate with each of its relevant partners (as set out in Section 6 of the Care Act) in order to protect the adult. In their turn each relevant partner must also co-operate with the local authority.
- 1.3 In line with the Care Act 2014, the Kent and Medway Safeguarding Adults Board is required to publish an Annual Report each financial year.
- 1.4 The Care Act 2014 states that once the Annual Report is published, it should be submitted to the Chief Executive (where one is in situ) and Leader of the Council, the local Police and Crime Commissioner and the Chair of the Health and Wellbeing Board. The joint protocol between strategic partners in Medway states that the KMSAB Annual Report must be presented to the HWB to ensure coordination and coherence.
- 1.5 The KMSAB has a pooled budget made up of contributions from its key partners –
- Kent County Council
  - Medway Council
  - Local Health Commissioners and Providers
  - The Office of the Police and Crime Commissioner
  - Kent Fire and Rescue Service

## **2. Background**

- 2.1 The Care Act 2014 placed Safeguarding Adults on a statutory footing. It included a requirement for each Local Authority to establish a Safeguarding Adults Board (SAB) for its area. Medway Council's duty is met through a joint Safeguarding Adults Board (SAB) with Kent County Council, The Kent and Medway Safeguarding Adults Board (KMSAB). The Kent and Medway Safeguarding Adults Board (KMSAB) is a statutory multi-agency partnership which assures that adult safeguarding arrangements in Kent and Medway are in place and are effective. It oversees how agencies co-ordinate services and work together to help keep Kent's and Medway's adults safe from harm, promote wellbeing, prevent abuse and protect the rights of citizens. The work of the Board is supported by KMSAB policies and procedures, which all agencies sign up to. The KMSAB is chaired by an Independent Chair, Deborah Stuart-Angus.
- 2.2 Medway Safeguarding Adults Executive Group (MSAEG) was established in 2016 to bring together senior representatives from key agencies responsible for the effective delivery of Adult Safeguarding in Medway. It works collaboratively to deliver the strategic priorities of the Kent and Medway Safeguarding Adults Board, strengthening local delivery, oversight and governance.
- 2.3 The following agencies are currently represented on the Kent and Medway Safeguarding Adults Board: Medway Council, Kent County Council, Kent Police, Acute Trusts, Clinical Commissioning Groups, Community Health

Trusts, Kent and Medway NHS and Social Care Partnership Trust, NHS England, Kent Surrey and Sussex Community Rehabilitation Company, National Probation Service, Kent Fire & Rescue Service, Prison Service, Community Safety Partnerships, Healthwatch, District Councils, Advocacy Services, Housing providers, elected Members from both Kent County Council and Medway Council and representatives from independent provider organisations.

2.4 The KMSAB held a development day on 14 July 2017, and those present agreed the Board's vision mission statements and strategic priorities. The group then determined the most suitable structure to deliver these. The new structure has added an additional group, the KMSAB Business Group, between the Board and Working Groups. The Business Group focuses on how Working Groups and others are delivering the Strategic Plan. This enables the over-arching Board to focus on strategic issues and priorities. Funding for the new structure was agreed by Board members in December 2017 and the new model became operational on 1 January 2018. The KMSAB is supported by the following working groups:

- Learning and Development Working Group
- Quality Assurance Working Group
- Safeguarding Adults Review Working Group
- Policy, Protocols and Guidance Working Group
- Risk Threats and Vulnerabilities Working Group, this is a joint working group with Medway Safeguarding Children Board and Kent Safeguarding Children Board

### **3. KMSAB Annual Report 2017-2018**

3.1 The report details how the Board delivered against its priorities for April 2017 – March 2018. Some of the key achievements during the reporting period include:

- Having agreed the KMSAB vision, mission statement and strategic priorities, members developed a three-year strategy and business plan and following consultation, The KMSAB Strategic Plan 2018-2021 was published.
- Kent County Council and Medway Council ensure that Making Safeguarding Personal is integral to the safeguarding process and seeks the views and wishes of the adult concerned, throughout the Enquiry, and will try to meet their desired outcome(s) whenever possible. The Making Safeguarding Personal literature was reviewed to ensure that it was Care Act compliant and that the questions were clear and suitable for everyone to answer. Easy read versions are also available. An additional factsheet has been developed to provide more information on the safeguarding process for anyone experiencing this, should they require it.
- Board members arranged and held a safeguarding adults awareness raising campaign between the 9 and the 13 October 2017. The campaign was framed around the theme "Respect not Neglect", which reflected findings highlighted in recent KMSAB Safeguarding Adults Reviews. The events were well attended, and very positive feedback was received.

- Three Safeguarding Adults Review (SAR) learning events took place in March 2018, reaching a total of over 460 members of multi-agency staff. In preparation for the events, working group members undertook a thematic review to establish the key learning from the four KMSAB SARs, two case audits and two out of area SARs, to share at the event. In addition to this thematic summary, the workshops considered one case in detail to emphasise the message that safeguarding is personal. One of the strengths of this section of the workshop was the involvement of relatives and carers, who spoke about what the person was like and their experiences of spending time with them. As self-neglect was one of the main concerns identified in the thematic review, the workshops consequently included a session on this. Feedback from the event was extremely positive.
  - The Kent and Medway Safeguarding Adults Board commissions multi-agency safeguarding adults training specifically for staff from the statutory sector, covering the roles and responsibilities of statutory partners in relation to Safeguarding Adults Section 42 Enquiries. Following a successful tender process, the new multi-agency safeguarding adults training programme was launched in May 2017, and training commenced in June 2017. The Board's multi-agency training programme for 2017-18 was completed, with a total of 761 staff attending training.
- 3.2 Section 3 of the Annual Report provides an update on Safeguarding Adults Review (SAR) activity. To ensure a robust and consistent process for determining whether a case referred for a Safeguarding Adults Review meets the criteria, a multiagency decision-making panel, chaired by a member of the SAR working group, is convened when a new referral is received. Each agency brings a summary of their involvement, these are considered to assess if the referral meets the criteria for a SAR or whether any other review or action is required. The recommendation of the panel is sent to the Independent Chair of the KMSAB for a final decision.
- 3.3 The KMSAB received seven new SAR applications between April 2017 and March 2018, of these:
- 2 cases progressed using the case audit review methodology
  - 2 cases did not meet the criteria and no further action was required
  - 3 cases did not meet the criteria and were addressed through the NHS Safeguarding Management process.
- 3.4 Four SARs were completed and signed off by KMSAB members during the reporting period; Mrs D, Mrs C, Violet Hughes and Beryl Simpson (please note all names are pseudonyms). In addition, some KMSAB agencies were also involved in two SARs which were led by other Safeguarding Adults Boards. The lessons from these SARs continue to influence the focus of KMSAB's policies, procedures and multi-agency training programme.
- 3.5 Section 5 of the report identifies the key priorities for the Kent and Medway Safeguarding Adults Board for 2018-2019:
- Prevention - to deliver a preventative approach in all that we do.
  - Awareness - to improve awareness of adults at risk and safeguarding within, and across, our partner agencies and communities.

- Quality - to quality assure our work, learn from experience and consequently improve practice.
- 3.6 Section 6 outlines the activity data for adult safeguarding in Kent and Medway. This includes referral data, the background data in regard to victims and the current trends in relation to adult safeguarding in Kent and Medway.
- 3.7 There continues to be an increase in safeguarding enquiries. In Medway there was a 59.4% increase, from 308 safeguarding enquiries in 2016-2017 to 491 safeguarding enquiries in 2017–2018.
- 3.8 The increase in enquiry levels observed in recent years can be attributed to operational changes introduced in October 2015 to ensure compliance with the Care Act. Medway has promoted awareness of adult safeguarding and has carried out in-house training over the past year, and this is thought to have contributed to the increase in concerns and enquiries seen in Medway in 2017-18.

#### **4. Medway Council data commentary**

- 4.1 The KMSAB commissioned three multi-agency safeguarding training courses in Policies, Procedures and Agency Responsibilities, Undertaking and managing Enquires, and Effective Contribution and Collaboration in Decision Making. Medway Council staff attendance at these courses over 2017-2018 has once again increased in comparison to the 2016-17 returns. 106 courses commissioned by the Board were attended by Medway staff in 2017-2018 as opposed to 52 in 2016-2017; an increase of 102%. The 106 courses attended would include some staff attending more than one course.
- 4.2 Safeguarding awareness courses at Level 1 (for all staff of the Directorate) and Level 2 (for staff who work directly with adults at risk) is commissioned by Medway Council. A total of 167 courses were attended by Council staff in April 2017 – March 2018, an increase of 293% upon the 2016-2017 data. This increase is a reflection upon Continual Professional Development for all staff.
- 4.3 1281 safeguarding concerns were raised in 2017/2018 compared to 998 concerns raised in 2016/2017, which is an increase of 28%. This can be seen as a reflection on the work in raising awareness of safeguarding, one of the three objectives of the KMSAB in its strategy for 2018-2021.
- 4.4 Of those concerns, 491 were investigated under a Section 42 safeguarding enquiry or other enquiry, an increase of 59% from the 2016/2017 figure of 308 enquiries.
- 4.5 An area of real progress in performance is demonstrated in the numbers of safeguarding enquiries completed within the 90 day target. In 2016/2017 just 37% of enquiries were completed within target, whilst in 2017/2018 this had increased to 64%.
- 4.6 There has been a significant increase in the cases where risk was removed, from 32% in 2016/2017 to 49% in 2017/2018, and this naturally leads to a

slight reduction in risks that were reduced, from 53% in 2016/2017 to 43% in 2017/2018.

## **5. Health and Adult Social Care Overview and Scrutiny Committee – 17 January 2019**

5.1 The KMSAB Annual Report 2016-17 was considered by the Health and Adult Social Care Overview and Scrutiny Committee on 17 January 2019. The minutes of this discussion were as follows:

5.2 The report was introduced to the Committee, the key points of which were as follows:

- The KMSAB budget of £203,000 included contributions from Medway and Kent Councils, the NHS, the Kent Police and Crime Commissioner and a voluntary contribution from Kent Fire and Rescue.
- The Safeguarding Adults Executive Group had been established in 2016 to bring together senior representatives from key agencies. This worked collaboratively to deliver strategic priorities and to strengthen delivery, practice, oversight and governance.
- Agreed aims of KMSAB were to ensure partnership accountability; raise public awareness of engagement; make safeguarding personal; to quality assure work; to measure effectiveness of what we do; share learning from other people's experience and; ask for feedback about what we do.
- In July 17, the Board agreed three safeguarding priorities for 2018 – 2021 - prevention, quality and awareness. A Business Group had been added to the KMSAB structure between the Board and its four working groups.
- A Safeguarding Adults awareness campaign took place in October 2017 with the theme 'respect not neglect.' A number of awareness raising sessions were held.
- Three large learning events were held in March 2018, based upon feedback from the awareness campaign. These attracted a total of 460 multi-agency attendees.
- A new multi-agency training programme for safeguarding launched in May 2017. 761 staff were trained between June 2017 and April 2018.
- Four Safeguarding Adult Reviews were completed in 2017-18 with a number of agencies also being involved in two additional out-of-area reviews that were led by other local authorities.
- Identified challenges included the need to: improve quality of record keeping in relation to ASC; improve care and case coordination and management; strengthen safeguarding management and leadership and; enhance collaborative working.
- There continued to be an increase in safeguarding enquiries in Kent and Medway. There had been 10,329 concerns raised in Kent and 1,281 in

Medway during the year with there having been a 28.4% (283) increase in Medway compared to the previous year. Formal safeguarding enquiries in Medway had increased from 308 in 2016/17 to 491 in 17/18. The increases were attributed to operational improvement and Medway's promotion of safeguarding awareness and the provision of training.

- Safeguarding enquiries dealt with within 90 day increased from 37% in 16/17 to 64% in 17/18. Cases where risk was removed increased from 32% to 49% and cases where risk was reduced decreased from 53% to 43%. Levels of self-neglect were increasing.
- In Medway, the highest proportion of cases were 'not substantiated' at 30.6% (124 cases), down 1.5% from 2016-17. 121 cases were substantiated and 52 were partly substantiated.
- The number of Deprivation of Liberty Safeguards (DoLS) authorisations outstanding reduced from 131 to 66. Six staff had undertaken training to support completion of timely assessments and shortened DoLS annual renewal assessments were being piloted.

5.3 A Committee Member thanked the Independent Chair of KMSAB for the quality and depth of the report presented and said that it was pleasing that 'real name' pseudonyms had been used in the report as this helped to make the report feel as though it was talking about real people.

5.4 A Member asked what the process was when a safeguarding enquiry took place, what the process was if a person needed to be removed from their current home and how assurance was provided that their environment would be free of abuse in the future. It was also asked what the process was if the person did not have the capacity to make a decision themselves. The Independent Chair of KMSAB said that not all adults wanted to be removed from abusive situations and that the right of the individual had to be respected. It was important to understand the ability of an individual to make a decision. There was a need to assess what action would make a person safe and to balance this with what would be acceptable to them. Where a crime was thought to have been committed then a Police referral would be considered. Work would be undertaken with the individual to make the outcome personal to them and to ensure their wishes were clearly understood. A Best Interest meeting would normally be held with relevant professionals in order to consider the case and what the best outcome might be. Work would be undertaken with Police and magistrates if it was concluded that it was in the best interests of a person for them to be moved to a safer environment. However, such removal was not a straightforward process.

5.5 The Assistant Director, Adult Social Care said that there had been a particular focus on Making Safeguarding Personal. There had been an increase in the last two years in the number of people who had been asked what outcomes they wanted to achieve through the safeguarding process. The Director of People, Children and Adults' Services emphasised the importance of establishing a relationship with the alleged victim. Where there were suspicions, increased monitoring could be undertaken with there being a range of tools available.

- 5.6 A Member was concerned that care homes continued to account for a large number of safeguarding concerns and asked whether care homes were required to provide safeguarding training to volunteers.
- 5.7 The independent chair said that the level of training provided was largely the responsibility of individual homes. Many care assistants did not receive formal training and a similar picture was likely in relation to volunteers. Part of the reason for there being high levels of safeguarding issues reported in a care home setting was due to care home staff being more likely to report concerns. The Director of People said that quarterly meetings took place with the CQC to monitor safeguarding referrals and to look at trends in referrals.
- 5.8 The Committee noted the Annual Report and made comments, which would be referred to the Health and Wellbeing Board when it considered the Annual Report.

## **6. Risk management**

- 6.1 While there are no specific risks identified, the KMSAB Annual Report 2017-18 presents an analysis of Safeguarding Adults activity, to raise awareness of abuse, prevent it occurring and ensure a timely and effective multi agency response when it occurs.
- 6.2 Work has been undertaken to manage the risk created by the increase in (Deprivation of Liberty Safeguards) DoLS workload since the 2014 Cheshire west Judgement.
- 6.3 Additional DoLS authorisers have been trained and this is having a positive impact on the number of outstanding authorisations, which have reduced from a peak of 131 at the end of October 2017 to 66 by end of June 2018. 6 members of staff are being supported to undertake BIA training in 2018, which will support the completion of more timely assessments. A shortened DoLS annual renewal assessment document is currently being piloted.

## **7. Financial implications**

- 7.1 The KMSAB Annual Report is funded by the KMSAB. There are no direct financial implications for the Council arising from this report.

## **8. Legal implications**

- 8.1 Section 43 (1) of The Care Act states that "Each Local Authority must establish a Safeguarding Adults Board ("SAB") for its area"
- 8.2 The CaSSG section 14.103 further states that "The objective of a SAB is to help and protect adults who have needs for care and support, who are experiencing or are at risk of abuse or neglect, and as a result of their needs are unable to protect themselves from abuse or neglect. This is whether or not the adult is having their needs met or they meet the local authority's eligibility criteria for care and support services."



8.3 The production of the KMSAB Annual Report is in accordance with the duty outlined in the Care Act 2014. The report is within the remit of the Board to note and comment upon.

## **9. Recommendations**

9.1 The Health and Wellbeing Board is asked to consider the comments of the Health and Adult Social Care Overview and Scrutiny Committee set out at section 5 of the report, note the Annual Report and make any further comments.

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### **Appendices**

Appendix 1 – The Kent and Medway Safeguarding Adults Annual Report 2017-18.

### **Background Papers**

None