

HEALTH AND ADULT SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE

14 JUNE 2022

LOCAL GOVERNMENT ASSOCIATION – SAFEGUARDING ADULTS PEER REVIEW

Report from: Jackie Brown, Assistant Director Adult Social Care

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Summary

This report highlights the findings and recommendations following the Local Government Association (LGA) Safeguarding Peer review carried out between 31st January and 2nd February 2022.

The report is for information and includes the recommendations highlighted in the LGA report and action plan.

1. Budget and policy framework

1.1 This report supports the Council Plan priority “Supporting residents to realise their potential”. As part of the Council Plan, we are developing and improving our local safeguarding arrangements and the recommendations within the LGA report and action plan aligns to this.

1.2 The Care Act 2014* sets out a range of statutory duties for Local Authorities. Section 42 of the Care Act 2014 applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):

(a) has needs for care and support (whether or not the authority is meeting any of those needs),

(b) is experiencing, or is at risk of, abuse or neglect, and

(c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

2. Background

- 2.1 The Director of People and the Assistant Director (AD) of Adult Social Care, were keen to revisit the peer review that took place in December 2016, to help us assess our current position and identify areas where we could improve to ensure adults at risk are safeguarded and furthermore, to assist in our preparation for the future Care Quality Commission (CQC) Assurance Reviews of Adult Social Care.
- 2.2 The review was led by Seona Douglas - Executive Director, Reading Borough Council. Seona was supported by: Rachael Roberts, Deputy Director Portsmouth City Council, Melanie Pearce, Service Manager, Safeguarding Service and Principal Support Worker Oxfordshire County Council, Debbie Young, Regional Programme Lead South East Association of Directors of Adult Social Services (SE ADASS) and Jane Simmons, Regional Programme Lead (Practice) SE ADASS.
- 2.3 We requested that the peer review focus on Safeguarding and the following areas:
- Our care pathway
 - Our quality of practice
 - Review of our safeguarding procedures relating to concerns of potential abuse about a person who died (Local Government and Social Care Ombudsman complaint response)
 - Our resources - are they appropriate?
 - Our structure - is the hub structure the right approach?
 - Is the Medway Safeguarding Adults Executive Group needed?
- 2.4 The review team met virtually with a variety of staff, managers and partners and were provided with a range of information including reports, policies, procedures, and performance data. All information collected from interviews and in the focus groups was recorded on a non-attributable basis.

3. Findings

- 3.1 The peer reviewers summarised their findings into the following key areas:
- Leadership
 - Quality of Practice
 - Structure and Resources
 - Performance
 - Partnerships
- 3.2 Appendix one provides Members with the full details of the Peer Review findings and proposed recommendations. The recommendations have already been presented to and accepted by the Chief Executive, Portfolio Holder for Adults' Services, the Director of People and the Assistant Director Adult Social Care.

4. Risk Management

Risk	Description	Action to avoid or mitigate risk
Medway's Adult residents are not safeguarded when appropriate/in a timely manner	<p>If recommendations are not completed, we may find ourselves at risk of not providing the statutory service we are obliged to deliver</p> <p>People will experience delay / there may be drift with cases, which may leave people at risk of harm.</p>	<p>Leads have been identified and timescales are in place for all actions. These will be followed up by the ASC project officer to ensure they are completed within deadline.</p> <p>Progress will be monitored at the Portfolio Holder's Oversight Board meeting.</p>
Reputational	<p>If people are at risk or there are delays with the service we provide it could leave people at risk of harm.</p> <p>The Council's safeguarding practices could be highlighted to external sources and leave the council at risk reputationally and politically.</p>	As above

5. Financial implications

- 5.1 There are no financial implications to Medway Council arising directly from the recommendations of this report

6. Legal implications

- 6.1 Medway Council has legal responsibility for safeguarding all residents. Failure to implement the recommendations could expose the council to potential proceedings for breach of its statutory duty under the Care Act 2014

and to potential claims for damages by or on behalf of individuals for breach of Articles 2 and 8 of the European Convention on Human Rights.

7. Recommendation

- 7.1 The Committee is asked to note and comment on the findings of the report and the action plan and timescales.

Lead officer contact

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Appendices

Appendix 1 – LGA Peer Review Final Report

Appendix 2 – Action Plan

Background Papers

* <https://www.legislation.gov.uk/ukpga/2014/23/part/1/crossheading/safeguarding-adults-at-risk-of-abuse-or-neglect/enacted>