

**Meeting of the Health and Adult Social Care Scrutiny Committee – 21<sup>st</sup> November 2018**

**Report of the Strategic Director People**

**Dudley Safeguarding Adults Board Annual Report 2017/18 and the Deprivation of Liberty Safeguards**

<b><u>Purpose</u></b>	
1.	To present the Adult Safeguarding Board's Annual Report to the Health and Adult Social Care Scrutiny Committee.
<b><u>Recommendations</u></b>	
2.	<p>It is recommended that:-</p> <ul style="list-style-type: none"> <li>Health and Adult Social Care Scrutiny Committee is asked to consider and comment upon Dudley Safeguarding Adults Board's Annual Report for 2017-18.</li> </ul>
<b><u>Background</u></b>	
3.	<p>Section 43 of the Care Act 2014 requires the Local Authority to establish a Safeguarding Adults Board (SAB) whose main objective is to protect adults from experiencing, or being at risk of abuse and neglect. Dudley Safeguarding Adults Board has been established since 2008 and works to ensure there is an appropriate response from a whole range of professionals to situations where there is actual or suspected abuse, harm or neglect. The Board considers how partners across Dudley Borough responsible for safeguarding work together and the quality of support provided to people who have been abused, neglected or harmed. The board is required to meet the following three statutory responsibilities. They must:</p> <ul style="list-style-type: none"> <li>Develop and publish a strategic plan setting out how they will meet their objectives and how their member and partner agencies will contribute</li> <li>Publish an annual report detailing how effective their work has been</li> <li>Commission safeguarding adults reviews (SARs) for any cases which meet the criteria for these.</li> </ul>
4.	The Board benefits from senior representation from all key agencies – Dudley MBC, Clinical Commissioning Group (CCG), Dudley Group NHS Foundation Trust, West Midlands Police, Dudley and Walsall Mental Health Trust, Healthwatch and the independent sector.

5.	<p>In 2016-17 the Board established an Executive Group to oversee the work of its subgroups. The subgroup structure consist of the following:-</p> <ul style="list-style-type: none"> <li>• Quality and Performance</li> <li>• SAR</li> <li>• Workforce and Development</li> <li>• MASH Strategic</li> <li>• Communications and engagement</li> </ul>
6.	<p>The terms of reference for these groups reflect the Board's declared priorities and are published on the local authorities website.</p>
7.	<p>The Board had three strategic priorities for 2017-18:</p> <ul style="list-style-type: none"> <li>• To improve service user involvement in safeguarding development</li> <li>• To make safeguarding personal for the victim of abuse, harm or neglect</li> <li>• To develop information in order to prevent safeguarding incidents from occurring</li> </ul>
8.	<p>The annual report demonstrates the progress achieved in these priorities in 2017-18 and highlights the following themes. There is evidence of effective partnership work, Making Safeguarding Personal is embedded, there has been a 4% increase to 97.4% of all people who have been asked about their desired outcomes have been fully or partially achieved. Additionally there are improved outcomes for individuals who have been or are at risk of financial abuse. A multi-agency development was held on 22<sup>nd</sup> June and there is a conference on financial abuse scheduled 26<sup>th</sup> November, this will be named shine a light on the hidden crime of financial abuse.</p>
9.	<p>Our action plan to improve service user involvement in the safeguarding process focused around increased working and formal links with user organisations across the borough. Healthwatch have presented a report relating to the voice of individuals who experienced the safeguarding journey. In addition a number of reference groups which benefit from experts by experience have been held, and the documentation reflects the requirements of the population.</p>
10.	<p>Much work has been done to prevent safeguarding incidents occurring (priority three). Public information has been distributed, self-neglect practice was issued and a multi-agency practice learning event was held to facilitate learning.</p>
11.	<p>Work with Trading Standards on financial abuse has led to the agreement of a Scams Unit to provide support to the Safeguarding Team to raise awareness about financial scams in 2017-18, this work is ongoing</p>
12.	<p>During this year Safeguarding Adult Reviews (SARs) referrals have significantly increased. There are approximately two referrals per month being received. There were previously two SAR's commissioned, it should be noted that the learning from these relating to dysphasia have as yet not been fully embedded, this work will continue to be monitored and regular updates provided</p>

13.	The creation of the MASH (Multi Agency Safeguarding Hub) has made progress in 2017-18. The MASH has become the central point for all unallocated safeguarding concerns to be reviewed and a timely decision made about how and if to proceed to a section 42 enquiry. There are plans to co-locate the adult MASH with the Children's MASH around January 2019.
	<b><u>Deprivation of Liberty Safeguards</u></b>
14.	These safeguards exist to provide a legal process and suitable protection for people in residential, nursing or hospital settings where deprivation of liberty is unavoidable and in a person's own best interest.
15.	In 2014 different thresholds were applied which has resulted in a significant backlog of cases regionally.
16.	Giving judgement, Baroness Hale said: "If it would be a deprivation of my liberty to be obliged to live in a particular place, subject to constant monitoring and control, only allowed out with close supervision, and unable to move away without permission even if such an opportunity became available, then it must also be a deprivation of the liberty of a disabled person. The fact that my living arrangements are comfortable, and indeed make my life as enjoyable as it could possibly be, should make no difference. A gilded cage is still a cage."
17.	A new scheme for the Deprivation of Liberty Safeguards is currently being developed following national consultation which Dudley contributed to in 2016-17. This recognises the backlog of cases nationally. Dudley had a backlog of 952, which was comparable to many local authorities. However, monies from none recurrent monies have been secured and this has resulted in a specialist Deprivation of Liberty's team being employed, as a result the original backlog now stands at approximately 300 and it is projected that this will be at nil before January 2019.
	<b><u>Finance</u></b>
18.	The Board is supported by the Local Authority in accordance with statutory responsibilities. West Midlands Police and Dudley CCG are also contributors to the Board.
	<b><u>Law</u></b>
19.	The annual Safeguarding Board report shows compliance with the Care Act 2014.
	<b><u>Equality Impact</u></b>
20.	The West Midlands Safeguarding Procedures are implemented within Dudley and are consistent with the Equal Opportunities Policy of the Council.

<b><u>Human Resources/Transformation</u></b>	
21.	There are no direct human resources/transformation arising from the contents of this report

Martin Samuels

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**Martin Samuels**  
**Strategic Director People**

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*Appendix 1 - Dudley Safeguarding Adults Board Annual Report*