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**Meeting of the Adult Social Care Select Committee – 20th November 2024**

**Report of the Director of Adult Social Care**

**Annual Adult Safeguarding Report and Deprivation of Liberty Safeguards (DoLS)**

**Purpose of report**

1. The purpose of this report is to summarise the last 12 months of performance in relation to Adult Safeguarding and Deprivation of liberty safeguards (DoLS) and ongoing preparations to meet the regulatory framework for the Care Quality Commission (CQC) Inspection of Adult Social Care.

**Recommendations**

2. It is recommended that the Select Committee Members
  - Scrutinise the report and seek assurance about the safeguarding of adults in Dudley Borough
  - Consider and agree the Dudley Safeguarding People's Partnership (DSPP) Safeguarding Annual Report for Adult 2023-24

**Background**

3. The local authority continues to experience increased numbers of safeguarding concerns. Key performance data illustrates the increase in concerns. Dudley is 3rd highest within the 14 regional Local Authorities for the number of safeguarding concerns received which is the pattern since 2016/2017. There is a slight decrease in the conversion rate however we remain 7th highest (of 14) for the absolute numbers of Section 42 Safeguarding enquiries within the region. The overall proportion of concerns within the 18-64 age group remains the highest proportion by age group (40%) and consistently over the past 8 years, females at 55% continue to form the

highest proportion of all concerns with 46% of alleged perpetrators known to the victim.

4. 

Year	Concerns	Enquiries	Conversion
2022/23	6434	604	9.4%
2023/24	7155	665	9.3%
5. National and regional data demonstrates there continues to be an increase in the Deprivation of Liberty Safeguards (DOLS) applications with a national increase of 11% and a regional increase of 17.5% . This increase is reflected in Dudley and although assessments completed have also increased due to the growing backlog the time estimated to complete the “not completed” based on current performance and resources continues to be high.
6. 

	Received	Completed	Not completed	Time to complete.
2022/23	690	505	540	13 months
2023/24	1,055	925	660	9 months
7. The CQC regulatory framework includes specific expectations and Quality statements around Safeguarding and Safe systems and the need to develop aspects of Safeguarding as part of the Adult Social Care Improvement Plan.
8. We continue to be a key partner in the Safeguarding Board as part of Dudley Safeguarding People Partnership (DSPP) and have worked towards the priorities of:
- Neglect across the life course.
  - Exploitation across the life course
  - Adopting a Think Family approach

Key Achievements during 2023/2024

9. The Multi Agency Safeguarding Hub (MASH) screens and determine the appropriateness of referrals ensuring that safeguarding enquiries only progress where relevant. The higher referral rate continues to reflect a greater awareness of safeguarding and of the MASH and the success of the multi-agency partnership Dudley Safeguarding Peoples Partnership (DSPP) and the Safeguarding Board and the impact of the citizen and professional portals. The lower percentage rate to conversion to Section 42 Enquiries is reflected



nationally and illustrates that the MASH is effective in ensuring that safeguarding enquiries only progress where relevant.

10. A high proportion of concerns received into Adult MASH from professionals continue to relate to care management concerns and are not safeguarding. To address this the MASH and the Safeguarding Board has developed training and a flow chart to ensure that professionals have a greater understanding of when to refer to Adult Social Care and to offer support and guidance for making safeguarding adult referrals. To ensure the training is accessible to the maximum numbers of professionals MASH staff are working with the Safeguarding Board to develop a podcast based on the training package which agencies can utilise with all of their staff and staff can access at any time to promote greater understanding.
11. Use of the citizen and professional portals continues to increase with access via the DSPP and local authority websites. This diversity of access allows new concerns to be inputted directly into the Liquid Logic (LAS) electronic recording system. Communication with the referrers continues to improve as they can be informed of outcomes more easily and securely and the portal forms have been extensively tested with citizens to ensure they are easy to navigate and understand and there continues to be positive feedback.
12. Self-Neglect enquires have increased and they remain the highest proportion of all enquiries in Dudley at 24.5% followed by Neglect and Acts of Omission 20% and Psychological/ Emotional abuse 16%. Working in partnership through the DSPP Neglect priority a comprehensive Adult Neglect Strategy 2024-2029 has been developed. The Strategy aims to reduce the incidence of neglect in Dudley; put an emphasis on prevention in all multi-agency learning opportunities and improve strategic and operational working between children and adult services, enabling a whole family approach, to support an effective transition into adulthood for all. Although Neglect is not a standalone priority 2024-2026 it will be a thread through the new priorities of Mental Health, Transitional Safeguarding and Exploitation and outcomes from the Strategy will be measured through action plans and multi-agency audits of adult neglect cases to identify learning and good practice.
13. It's widely estimated that between 2% – 5% of the population may have symptoms of a hoarding disorder. It is estimated that only 5% of hoarders come to the attention of statutory agencies. Based on the 2021 census, Dudley has approximately 135,000 households, therefore, potentially there could be between 2,700 – 6,750 households affected by hoarding to some degree. It

was recognised Self-Neglect and Disorganised living affect both children's and adults in Dudley therefore a Hoarding toolkit has been developed across services for Children's and Adults to provide consistency in assessing risk to adults and children. The tool kit has been launched through all agencies in the DSPP partnership with the Local Authority's Adults and Children's services providing joint training to their practitioners.

14. The Person in a Position of Trust (PiPOT) process which provides a framework for managing cases where allegations have been made against a person in a position of trust (anyone who works, either paid or unpaid, with adults with care and support needs) continues to evolve with a multi-agency governance and evaluative process to provide scrutiny and assurance. The framework looks at risks and ensures appropriate actions are taken to manage allegations, regardless of whether they are made in connection with the PiPOT's employment, in their private life, or any other capacity. This process applies to the local authority, all partner agencies and commissioned local authorities' relevant partners, and those providing care and support services. The PiPOT lead and Local Authority Designated Officer ( LADO) in Childrens services work together to ensure there is a streamlined service and potential risk is identified and mitigated in the most applicable way.
15. Dudley continues to submit National Referral Mechanism (NRM) referrals for adults who are suspected of being subject to coercion, control and abuse in relation to Modern Slavery. The Adults exploitation subgroup of the Dudley Safeguarding Peoples Partnership (DSPP) continues to support the delivery of this priority and has strong partnership leadership led by the Police who also chair the Dudley Safe and Sound Board (Community Safety Partnership), this ensures consistency and avoids duplication between the two partnerships. The subgroup continues to implement the Exploitation Strategy which will strengthen the pathway for referrals around exploitation meaning a robust approach can be taken to concerns of exploitation. A whole life exploitation pathway and screening tool is being developed which will also support the new priority of Transitional Safeguarding. MASH continue to be a partner on the Channel Panel and training is available to all partners ensuring that practitioner knowledge around PREVENT is current and embedded in practice.
16. Dudley Trading Standards' Scams Unit continue to promote the preventative and proactive approach to raising awareness, through the establishment of a Dudley Financial Abuse Alliance with financial institutions, 'friends against scams' training and providing information and advice. The Trading Standards team continue as a proactive partner with the MASH, receiving referrals for

alleged financial abuse cases and working in a coordinated way to respond to referrals, investigate concerns and support people.

17. The Deprivation of Liberty Safeguards (DoLS) are part of the Mental Capacity Act 2005. The safeguards provide a number of legal protections and aim to make sure that people in care homes and hospitals are supported to live the best life they can while ensuring any restrictions in place, to ensure their safety, does not inappropriately restrict their freedom. Deprivation of Liberty in the Community (CDoL) requires an application to the Court of Protection and is a protection for people over 16 who are in supported living, extra care housing or in their own homes. Both schemes can only be authorised for a maximum of 12 months and have to be renewed. Nationally and Regionally DoLS numbers continue to rise but reducing the waiting lists for DoLS Assessments is part of the Development plan for Adult Social Care with key performance indicators. We continue to work with our regional and national colleagues to explore innovations and benchmark good practice to ensure we utilise the most efficient operating model within the restricted resource framework. The DoLS infrastructure has been increased with 2 full time equivalent permanent DoLS assessors, increased use of internal rotas and remote and equivalent assessments utilised when proportionate to do so.
  
18. The Health and Care Act 2022 gave the Care Quality Commission (CQC) new powers to assess local authorities and the integrated care system. Their role is to understand the quality of care in a local area or system and provide independent assurance to the public. As part of their assessment framework, there are a number of quality statements with two relating to safe systems and safeguarding. Safe systems, pathways and transitions- We work with people and our partners to establish and maintain safe systems of care, in which safety is managed, monitored and assured. We ensure continuity of care, including when people move between different services. This is wider than safeguarding as it covers internal and external partnerships and how the “system” operates to ensure Dudley citizens who fall within the provisions of the Care Act 2014 are able to access the support they need to ensure their wellbeing. Safeguarding- We work with people to understand what being safe means to them as well as with our partners on the best way to achieve this. We concentrate on improving people’s lives while protecting their right to live in safety, free from bullying, harassment, abuse, discrimination, avoidable harm and neglect. We ensure we share concerns quickly and appropriately. The Safeguarding quality statement covers all aspects of safeguarding under the legal framework in the Care Act for how local authorities and other parts of the



system should protect adults at risk of abuse or neglect as defined by the Care Act.

19. As part of our Adult Social Care Development plan a Safeguarding dataset and improved performance management arrangements were formulated underpinned by the Safeguarding Practice Guidance and Key performance indicators. The audit program through the Quality Assurance Framework interrogates practice through the Key performance indicators and provides assurance, identifies good practice and areas for development. The Safeguarding Dashboard has been developed further and provides increased oversight of practice in teams , across the service and overall governance through the Adult Social Care Leadership Team.
20. Compared to many other Local Authorities we continue to have a very high number of safeguarding concerns which is in part due to the way contacts are recorded. This continues to be a challenge due to limited resources, but we continue to look at the way we record concerns into Adult Social Care to ensure there is a true reflection of what is safeguarding at the secondary triage stage and work with partners to ensure referrals are more proportionate and valid. This will not increase risk or cause any delay but coupled with the key performance indicators and learning from audits will increase assurance, ensure figures truly reflect activity and allow greater oversight, scrutiny and emphasis on performance.
21. A clear strength in working towards the CQC Quality Statements and our Development plan continues to be our proactive multi-agency partnership through the Safeguarding Board and DSPP and the Safe and Sound Board. We participate in all aspects of both Board's activity and help to drive improvements through the subgroups and Boards. Multi -agency partnership scrutiny and assurance have been developed further through the DSPP subgroup Quality Assurance and Performance, which the Local Authority chair. This has been achieved through the development of a muti agency data set, the recruitment of a data analyst and ongoing multi-agency audits of practice. This provides further scrutiny and assurance by assessing the quality of practice and lessons to be learned in terms of both multi-agency and multi-disciplinary practice. Through the Think Family approach and Exploitation subgroup we have developed more robust oversight of Transitional arrangements for young people 16-18 years who are at risk of exploitation. This will be built on further through the new Transitional Safeguarding priority 2024-2026. Capturing the voice of the individual remains paramount and as well as our ongoing collection of feedback we continue to support independent

research by Healthwatch Dudley to improve our understanding of individuals experience through safeguarding while exploring further opportunities for co-production.

### Ongoing Themes

22. Increased Domestic abuse-related incidents and violence rates continue to be a priority nationally, regionally and in Dudley. We continue to be an active partner in all aspects of the work through the Safe and Sound Board and the MARAC (multi-agency risk assessment conference) recognising while all victims of domestic abuse are vulnerable due to the risks they face, some victims falling under the provisions of the Care Act face an even greater risk if exposed to domestic abuse. We work closely with our partners to ensure there is a greater recognition of domestic abuse in Dudley, staff are trained appropriately, and victims are signposted to resources. We work with our partners to identify learning from Domestic Homicide Reviews and Domestic Abuse Related Death Reviews and ensure this is embed in practice.

### Finance

23. The provision of Adult Safeguarding and DoLS are funded through the service base budget.
24. The Safeguarding Board is financially supported by the Local Authority, West Midlands Police and Dudley ICB and the Board Budget is identified as part of the Annual Report.

### Law

25. The Local authority will be apprised of and will adhere to the requirements of the following legislation:
  - 1) The Human Rights Act 1998
  - 2) The Mental Health Act 2007
  - 3) The Mental Capacity Act 2005
  - 4) The Care Act 2014
  - 5) The Mental Capacity Amendment Act 2019
  - 6) The Health and Care Act 2022

This is not an exhaustive list.



## **Risk Management**

26. All risks are reported on and managed and mitigated by ongoing data analysis, feedback from individuals and families and by local, regional and national data sets and surveys underlined by a risk register where applicable.
27. The increase in safeguarding concerns and conversion rate is mitigated by a highly skilled staffing resource, increased performance management with key performance indicators, robust reporting and action tracking. Further risk mitigation continues to be provided by the scoping of recording mechanisms, learning from internal and multi-agency audits and targeted learning and training.
28. The CQC regulatory framework is evolving and there remains a limited number of Local Authorities who have been assessed so there is a lack of full assurance at this stage on how this will be implemented in Dudley. This risk is mitigated by continuing to work with regional and national colleagues to develop a coordinated response and to prepare with a rigorous self-assessment that has been co-produced and peer reviewed. This provides the foundation for the Adult Social Care Development Plan which continues to evolve and includes building on our strong partnerships with among others, Dudley Safeguarding Peoples Partnership, Safe and Sound Board (Community Safety Partnership) and internal partners such as Children's services and Housing, among others.
29. There is a risk that DoLS referrals are increasing and the capacity to complete assessments remains strained which might lead to the increase in citizens being illegally detained; the Local Authority being at risk of legal challenge, non-compliance with a statutory function and reputational damage. There is a risk there will be a lack of sustained improvement due to lack of resource but this risk is mitigated by increasing capacity by maximising existing resources such as an internal rota system; developing a more proportionate assessment with regional and national colleagues and by re purposing staffing time to ensure there is a proactive response to maximise the use of renewals and equivalent assessments. Increased technical support through the development of a portal enables greater efficiency in allocation of assessments and more robust and timely data collection.

## **Equality Impact**





30. The Care Act 2014 and Safeguarding principles as well as the West Midlands Safeguarding Procedures with Making Safeguarding Personal (MSP) at the center are implemented within Dudley and are consistent with the Equality Diversity and Inclusion Strategy of the Council and promote equality of opportunity, access and person-centred practice. The Mental Capacity Act 2005 is grounded in the Human Rights Act 1998 and ensure that diversity and inclusion are central to all provision.
31. An Equality Impact Assessment Screening tool was completed and there is no significant equality impacts identified to warrant an Equality Impact Assessment.
32. The Safeguarding Board operates across the Life course promoting whole life policies, procedures, and partnerships. Adult Safeguarding has a close working relationship with the Children's Multi Agency Safeguarding Hub (MASH), Children's Services and partners and ensures it operates a "think family approach" throughout.

### **Human Resources/Organisational Development**

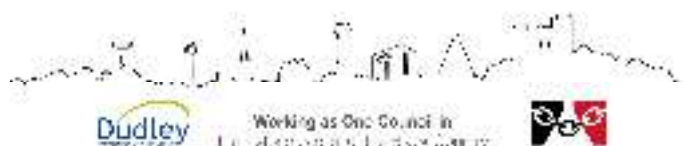
33. There are no Human Resources or Organisational Development implications in relation to the contents of this report.

### **Commercial/Procurement**

34. There are no commercial or procurement implications in relation to the contents of this report.

### **Environment / Climate Change**

35. Adult Safeguarding continues to promote sustainable development through the use of hybrid methods of meetings such as weekly team huddles to share good practice and virtual meetings with performance and wellbeing being monitored in person and remotely. A mix of face to face and virtual meetings and assessments continue to be used to meet the requirements of the citizen, carer, team, and organisation. The hybrid mix has increased productivity due to reduced travelling times and ability to attend multiple online meetings where required and the reduction in car journeys reduces emissions.



## Council Plan

### Financial sustainability, efficiency and providing best value.

36. Adult Safeguarding is working within tighter spending controls, making savings against vacancies including a DoLS Assessor post.
37. Development of a new operating model has increased output and will allow the opportunity to explore further efficiencies.

### Delivering for our customers, residents and communities

38. The safeguarding duty is a statutory duty, and it is essential for the council in fulfilling its legal duties and its responsibilities to local people to ensure there are services and arrangements to protect adults who have need for care and support and are experiencing, or are at risk of, abuse or neglect, and as a result of those needs are unable to protect themselves against the abuse or neglect.
39. This aligns to the council priority area as through safeguarding arrangements and Making Safeguarding Personal (MSP) residents are supported to live their lives as safely as possible while empowering them to work towards the outcomes they desire.



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## **Appendices**

*Appendix 1 – DSAB Annual Report 2023-24*

