

**London Borough of Brent
Executive – 21 July 2003
Report from the Director of Social Services**

Adult Protection Policy and Procedures

For Action

Name of Wards Affected

ALL

1.0 SUMMARY

- 1.1 This report outlines the Department of Health Social Services Inspectorate requirement for local authorities to develop multi-agency adult protection policies, procedure and guidelines, to protect vulnerable adults from abuse.
- 1.2 It details the work already undertaken in Brent and recent developments to revise the procedures in line with the national guidelines.
- 1.3 It proposes the establishment of a Multi- agency Adult Protection Committee to review and monitor the work and identify issues that need development.

2.0 RECOMMENDATIONS

- 2.1 Members are asked to note and agree to the summary guidelines attached as Appendix 1.
- 2.2 To agree to the setting up of the Multi-agency Adult Protection Committee as detailed in the report, and the terms of reference at Appendix 4.
- 2.3 To note the proposal for the establishment of posts for the Adult Co-ordinator role, subject to funding being available.

3.0 FINANCIAL IMPLICATIONS

- 3.1 The Department of Health has not made any additional funding available for the development of the multi-agency work. No additional national resources have therefore been available to develop this work.
- 3.2 The development of guidelines and a training programme has only been made possible through a successful application to the NHS Workforce confederation for £50,000 to develop the guidelines and training on a multi-agency basis from March 2003. This will be spent by March 2004.

- 3.3 In order to develop further and maintain the adult protection advice and co-ordinator role, and service the committee it is proposed that a post, with administrative support be established, subject to a growth bid for 2004/5. The PCT is being asked to make a contribution towards the projected total cost, with on costs, £60,000 for the 2 posts.

In addition approximately £20,000 is required to develop Social Services training, £20,000 for providers and £20,000 for the Primary Care Trust staff. A further bid for training money will be made to the NHS workforce confederation for 2004/05. The development of the policies and monitoring and procedures will not be achievable without these posts.

4.0 STAFFING IMPLICATIONS

- 4.1 Implementation of the policy and procedure would require an Adult Protection Co-ordinator post and administrative post, subject to budget availability.

5.0 LEGAL IMPLICATIONS

- 5.1 The "No Secrets" guidance was issued by the Secretary of State using the powers contained in section 7 of the Local Authority Social Services Act 1970. That section requires local authorities in the exercise of their Social Services functions to act under the general guidance of the Secretary of State. The local authority may only depart from such guidance where there is a good reason to do so and failure to comply could be corrected by judicial review.

6.0 DETAIL

- 6.1 In February 2000, multi-agency guidelines "Protection of Vulnerable Adults in Brent" were produced. These followed Brent's previous inter-agency guidelines and procedures on adult sexual abuse, issued in July 1995, which focused on people with learning disabilities.

Department of Health Guidelines

- 6.2 In March 2000, the Department of Health issued No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse. The Government expects this guidance to be developed and implemented at a local level, co-ordinated by each Social Services department to which lead responsibility has been given. It also recommends a multi-agency committee to develop and monitor the work.
- 6.3 Abuse is understood to include physical, sexual, psychological or emotional, financial or material, neglect and acts of omission, discriminatory and institutional, and occurs in any setting, including a person's own home. Users themselves often do not want any action taken, and unless there is an issue of capacity, or a criminal act might have occurred, difficult judgements have to be made about risk and an individual's right to self-determination.

- 6.4 No Secrets is not the only government initiative that recognises that vulnerable adults need better protection. For example, the Lord Chancellor's Department is actively developing its guidance Making A Difference in order to help people who have difficulties in making decisions for themselves, and the Home Secretary has recently announced far reaching reforms to laws on sex abuse of vulnerable adults.
- 6.5 The recognition of abuse of vulnerable adults is not yet fully appreciated among the general public, or even among all managers and staff in care providing agencies. Although the vast majority of care is of a good standard, there will always be exceptions. There is a clear legal duty of care on statutory and regulated services to protect vulnerable people, and in many cases, abuse could lead to criminal prosecution and civil action against individuals and agencies. The definition of a vulnerable adult, for these purposes, is a person aged 18 and over, who might be in need of community care services.

Position in Brent. Adult Protection Committee

The DoH guidelines suggest an Adult Protection Committee is an appropriate multi-agency forum in which to promote oversee, monitor and review adult protection policies, procedures and developments. A steering group has been set up which could become the formal Adult Protection Committee, subject to Executive approval. The terms of reference have been agreed by all agencies and are attached at Appendix 2A.

- 6.6 In November 2002, a multi-agency Adult Protection Committee (steering group) was set up by the Social Services Assistant Director (Community Care) to update existing policies in Brent, develop a training strategy and training programme, produce publicity materials and develop monitoring systems. A one-off grant was obtained from the NHS Workforce Training Confederation to assist agencies in Brent to do this work and access training in order to promote awareness of abuse and to know how to respond appropriately. A consultant has been employed on a short-term basis as project manager to act as the Adult Protection co-ordinator, and take the detailed work forward.
- 6.7 Existing guidelines in Brent were client-group specific for older people and those with learning disabilities. The SSI joint review commended the latter but recommended the development of general guidelines.
- 6.8 The Adult Protection Committee steering group has been meeting about every six weeks, but in due course will convene quarterly. Membership is drawn from the key statutory organisations in the borough (Social Services, Health, the Primary Care Trust, Brent Mental Health Service, and Central North West London Hospital Trust, the Police, National Care Standards Commission) and the voluntary sector (BRAVA, Brent Carers Centre), and external providers. The guidelines have been accepted by the respective agencies and will be formally approved by the PCT in July.

- 6.9 The Adult Protection Committee is keen to encourage all relevant agencies in Brent to be aware of these developments, and for all managers to help raise awareness of abuse in order to protect vulnerable adults in Brent.

Terms of reference (see Appendix 4) have been drawn up based on DoH guidelines and the Committee will have an important role to review and monitor adult protection implementation of the guidelines. There are three key areas it will need to oversee through working groups on policy, practice and training.

The current Adult Protection Committee recommends, as Social Services is the lead agency, the Assistant Director Community Care should chair the meetings with the PCT acting as vice chair.

- 6.10 New policy, procedure and guidelines

The Adult Protection Committee has overseen the production of comprehensive procedures and guidelines, a summary easy-reference guide, and a leaflet for the public, all to be launched in October. The summary guidelines are attached for approval. They provide information on how to identify suspected abuse, how to report it and what action to take to protect the person. The procedure details the responsibility Social Services has to assess referrals, ensure the vulnerable person is protected, and arrange strategy meetings to confirm responsibility for undertaking investigations. Typically these may involve discussions with the National Care Standards Commission and police. Due to the complex nature of the referrals, and lack of legal framework as with child protection, very detailed advice and guidelines have been produced. These were based on best practice drawing on other local authorities procedures.

- 6.11 A programme of training has been organised, targeted at different staff/manager needs, with the emphasis on multi-agency and inter-disciplinary participation. The core elements of the training are general awareness, alerting and investigation. There are more specialist courses for those staff who are required to undertake particular duties in relationship to allegations of abuse. Currently 357 staff from all agencies have attended training courses.

Training

Adult Protection Co-ordinator role

- 6.12 Ensuring the policy, procedures and guidelines are updated and used requires a dedicated post. The person would also provide advice and support to social work teams and other agencies on how to deal with difficult allegations, monitor referrals, analyse trends and liaise with partner agencies. The Adult Protection committee, to effectively function requires support to develop the work programme, monitor trends and report back to the Health and Social Care Partnership Board. The post would also take responsibility for updating the guidelines in light of new requirements.

For example the NCSC are due to issue guidelines on investigating abuse in residential care next year. If it is not possible to fund the post then there will be no capacity to ensure the above are undertaken.

6.13 Reporting an Adult Protection issues

'No Secrets' suggests the Director of Social Services reports on adult protection developments as part of an annual report. It is proposed this should be to the Health and Social Care Partnership Board and then to Social Care Scrutiny Panel.

6.14 Currently no service has systematic ways of collecting information on allegations or outcomes, other than through manual counts. The new Social Services information system will address this. In the year 2002/03 it is estimated about 30 referrals were made to Social Services. The majority of cases concern older people and people with learning disabilities resulting in case conferences. Numbers are expected to increase with greater public awareness. The cases are very time consuming because they involve complex issues, usually several agencies, and often result in the need for long term monitoring.

6.15 Links with other procedures

There are obvious links with child protection procedures, community safety policies, and the multi agency race panel. A Co-ordinator could ensure such links are made, and developments shared.

6.16 The Brent procedures have been reviewed, in light of the Climbie report, to ensure general issues relating to investigations are reflected in the adult protection guidelines.

6.17 Consultation: Users and Carers

The Health and Social Care Partnership Board agreed this work should be taken forward, and the priority action groups to be involved, and they have disseminated information to providers users and carers. An information leaflet for the general public will be sent out after the issuing of the guidelines, and will also promote awareness for users and carers.

Staff

Both managerial and frontline staff, from all the agencies involved, have contributed to the guidelines and commented on the training. A key comment was the need for a summary, shorter, procedures guide which is attached to this report.

Key partners

6.18 Launch of guidelines

A formal multi-agency launch of the policy and guidelines and leaflet for the public will take place on 22nd October 2003. A national speaker has been invited and the intention is to provide a briefing and raise awareness to key senior officers, members and other agencies.

6.19 Conclusion

It is recommended that Members agree to the summary guidelines, and the establishment of the Adult Protection Committee, as proposed, and that it reports to the Health and Social Care Partnership Board and Social Care Scrutiny Committee on an annual basis.

6.0 BACKGROUND INFORMATION

Department of Health "No Secrets" guidance, 2000

- 6.1 Anyone wanting a copy of the full guidelines and procedures can request this from Christabel Shawcross, Assistant Director – Community Care, Mahatma Gandhi House, 34 Wembley Hill Road, Wembley HA9 9AZ 02028 937 4230.

JENNY GOODALL
Director of Social Services