

REPORT TO: Health Policy & Performance Board
DATE: 6 March 2012
REPORTING OFFICER: Strategic Director, Communities
PORTFOLIO: Health & Adults
SUBJECT: Safeguarding Adults
WARDS: All

1.0 PURPOSE OF REPORT

1.1 To update the Board on key issues and progression of the agenda for safeguarding 'vulnerable adults' (i.e. adults at risk of abuse) in Halton.

2.0 RECOMMENDATION: That the Board notes the contents of the report.

3.0 SUPPORTING INFORMATION

3.1 The Safeguarding Adults Board's priorities, structure, reporting arrangements, membership and work plan have been reviewed, taking into account the establishment of the Health and Well-Being Board in shadow form, and the need to look creatively at mechanisms for engaging as partner agencies and individuals at a time of reducing resources and major change. The revised work plan will demonstrate a greater focus on prevention, aim to strengthen links with Dignity and Domestic Abuse agendas, and examine Safeguarding provision in self-directed support and Personalisation.

3.2 The protocol between Halton Borough Council Adult Social Care and the Police Public Protection Unit is being further revised to include guidance on:

- Cases where an alleged perpetrator lacks capacity for criminal intent and
- The offence (under the Mental Capacity Act 2005) of ill-treatment or willful neglect of a person lacking or thought to lack capacity.

3.3 A generic Recruitment and Selection training course, available to Halton Borough Council managers with responsibility to appoint to positions in contact with vulnerable adults, has been reviewed with the outcome that a new, modular course is being designed to incorporate a greater emphasis on Safer Recruitment in a context of Safeguarding Adults. Safer recruitment principles and practice are already embedded in the existing course, but the content will be developed to help raise awareness of the importance of Adult Safeguarding, especially for those who have infrequent contact with adults at risk of abuse. The revised course will provide a modular approach

including both E-Learning and classroom activity, to enable new and existing managers to undertake those elements pertinent to their particular needs. The E-learning element will be available to all agencies and employers with on-line access. Halton Safeguarding Children Board provides Safer Recruitment training modules, with particular reference to Safeguarding Children.

3.4 Safeguarding and Dignity elements have been incorporated into new guidance for staff in Residential and Nursing Homes and staff working in Domiciliary Care: 'Nutrition And Hydration In Care And Support'.

3.5 In May last year the BBC showed an investigative Panorama programme that highlighted the abuse of people with learning disabilities and autism in Winterbourne View, an assessment and treatment residential service near Bristol for people with complex needs. Secretly filmed footage appeared to show residents being pinned down, slapped, doused in water and taunted, a senior member of staff "punishing" a patient by sitting and stamping on her, putting her in a headlock and dragging her around by the arms.

Twenty-four patients were transferred from Winterbourne View following the investigation and the the owners, Castlebeck, closed the facility last June.

Following a Police investigation, ten people were charged with ill-treatment and wilful neglect of four of the patients concerned. During their appearance at Bristol Crown Court on 9th February 2012, three staff pleaded guilty to the ill treatment of residents. All three have been released on bail to await sentencing at a later date.

Two others pleaded not guilty and no pleas were entered for six people. Their cases will be heard in March 2012.

Avon and Somerset Police said a further three people who were arrested during the investigation will not face charges.

3.6 The Ministry of Justice is carrying out a consultation 'Getting it right for victims and witnesses', about the Government's proposed approach:

- To ensuring that victims and witnesses get the support they need, both to overcome the consequences of crime and to participate fully in the criminal justice process
- To ensuring that offenders take greater responsibility for repairing the harm they have caused, through a combination of financial reparation and restorative justice.

The consultation (closing date: 22 April 2012) is aimed at all criminal justice agencies, the victim support and advice sector, local authorities, the judiciary, and all representative bodies and charitable organisations with an interest in this area in England, Wales and Scotland, and can be accessed

via the link below:

<http://www.justice.gov.uk/consultations/victims-witnesses-cp3-2012.htm>

4.0 **POLICY, LEGAL AND FINANCIAL IMPLICATIONS**

4.1 There are no policy, legal or financial implications in noting and commenting on this report.

4.2 All agencies retain their separate statutory responsibilities in respect of safeguarding adults whose circumstances make them vulnerable to abuse, whilst Halton Borough Council, through its Communities Directorate, fulfils its responsibility for coordination of the arrangements. These arrangements are in accordance with 'No Secrets' (DH 2000) national policy guidance and Local Authority Circular (2000)7 / Health Service Circular 2000/007.

5.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

5.1 **Children & Young People in Halton**

Safeguarding Adults Board (SAB) membership includes a Manager from the Children and Enterprise Directorate, as a link to the Local Safeguarding Children Board.

Halton Safeguarding Children Board membership includes adult social care representation.

Joint protocols exist between Council services for adults and children.

The SAB chair and sub-group chairs ensure a strong interface between, for example, Safeguarding Adults, Safeguarding Children, Domestic Abuse, Hate Crime, Community Safety, Personalisation, Mental Capacity & Deprivation of Liberty Safeguards.

5.2 **Employment, Learning & Skills in Halton**

None identified.

5.3 **A Healthy Halton**

The safeguarding of adults whose circumstances make them vulnerable to abuse is fundamental to their health and well-being. People are likely to be more vulnerable when they experience ill-health.

5.4 **A Safer Halton**

The effectiveness of Safeguarding Adults arrangements is fundamental to making Halton a safe place of residence for adults whose circumstances make them vulnerable to abuse.

5.5 **Halton's Urban Renewal**

None identified.

6.0 **RISK ANALYSIS**

6.1 Failure to address a range of Safeguarding issues could expose individuals to abuse and leave the Council vulnerable to complaint, criticism and potential litigation.

7.0 **EQUALITY AND DIVERSITY ISSUES**

7.1 It is essential that the Council addresses issues of equality, in particular those regarding age, disability, gender, sexuality, race, culture and religious belief, when considering its safeguarding policies and plans. Policies and procedures relating to Safeguarding Adults are impact assessed with regard to equality.

8.0 **LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

None under the Meaning of the Act.