

Update on Care Act Preparation for the North East ADASS Region : Adult Safeguarding

Introduction

Preparing for the safeguarding aspects of the Care Act has been a work stream of the Regional Safeguarding Leads Network since the Care Bill was published. Each Local Authority area is currently 'taking stock' of its readiness for the implementation of the Care Act in April 2015 through local Safeguarding Adults Boards (SAB) arrangements.

Each Local Authority has structures in place to meet the requirement to have a Designated Adult Safeguarding Manager. Discussions will take place via SABs to ensure each member organisation of the SAB also has these arrangements in place.

Section 42 : Enquiry by Local Authority

It is recognised that the 'removal' of the 'significant harm' threshold from adult safeguarding could introduce an element of inconsistency that will need to be addressed through close interagency working, audit and service monitoring.

As a holistic approach is already taken to safeguarding adults, the widening of the scope of adults who need to be considered is not expected to be problematic, other than there will be a related increase in activity.

As the duty to 'make' or 'cause to be made' (s.42(2)) enquiries is new, it is yet to be tested whether partners will comply with requests to make enquiries and it is difficult to determine how compliance can be achieved if there is resistance. However, it is currently custom and practice for local authorities to lead investigations and/or recommend that enquiries are carried out, so this is an area of good practice that we hope to build on.

Policies and procedures are being reviewed in each area in preparation for this change. Training needs are also being established and the related training plans are in development / in progress.

Section 45 : Supply of Information

As with making enquiries / causing enquiries to be made, the compliance with requests for information is also untested and SABs will need strong Chair arrangements and interagency working to hold partners to account. Information sharing is challenging now at the Safeguarding Strategy level, so it is hoped that this duty will aid compliance.

Section 43 : Safeguarding Adults Boards (SABs)

All areas have arrangements in place to satisfy the requirements for Statutory SABs, in line with Schedule 2 of the Act.

Tees is the only area where the statutory SAB will cover more than one Local Authority area, i.e. Stockton, Middlesbrough, Redcar & Cleveland and Hartlepool.

Support arrangements are in place for each SAB and each currently has an annual Work Plan and produces an Annual Report, but it is acknowledged that this area of work will benefit from being formalised.

continued

Section 44 : Safeguarding Adults Reviews

Processes are in place in all areas currently to enable Serious Case Reviews to be carried out, so the requirements for Safeguarding Adults Reviews (SARs) can be accommodated in each area.

Work has begun through the regional Safeguarding Adults network to explore other potential Models for SARs, including Appreciative Inquiry and systems-based approaches.

Related Issues

The requirements for independent advocacy are being reviewed in each LA area, including those adults who experience the safeguarding process. Arrangements are already in place for statutory advocacy i.e. Independent Mental Capacity Advocates and Independent Mental Health Advocates.

It is expected that embedding the principles of Making Safeguarding Personal on a multi-agency basis will assist in addressing a number of practice issues that will be required with respect to the new Legal Framework.

Widening the scope of safeguarding to include/make more explicit links with domestic abuse, self neglect and modern slavery and to raise awareness of financial abuse are all expected to increase adult safeguarding activity.

Criminal offences and adult Safeguarding

Vulnerable adult witnesses are already supported through the Criminal Justice system across the region and early involvement of the Police in relation to potentially criminal offences is already part of the safeguarding adults process.