

BATH & NORTH EAST SOMERSET LOCAL SAFEGUARDING ADULTS BOARD

**NOTES OF MEETING HELD ON
Monday 13th December 2010
9 a.m. – 12 noon
in the Board Room, NHS BANES Trust HQ, St Martins**

Chairperson: Janet Rowse

Those Present

Janet Rowse – Acting CEO NHS B&NES and Director of Adult Social Care & Housing
Jo Gray - MD CH&SC Services, B&NES Council & NHS BANES
Lesley Hutchinson – AD Safeguarding and Personalisation, B&NES Council
Jenny Theed - DD CH&SC Services, NHS BANES
Mary Lewis – Executive Lead Nurse, NHS BANES
Denis McCann – Principal Manager, Avon Fire & Rescue Service
Mark Dean - Head of Public Protection & Safeguarding, AWP
Sonia Hutchison – CEO, Carers Centre (B&NES)
Rayna McDonald – Director of Operations & Clinical Practice (+ Safeguarding Lead)
RNHRD
Francesca Thompson - Director of Nursing, RUH NHS Trust, Bath
Meri Rizk – Manager, B&NES People First
Kevin Day – Senior Manager, Avon and Wiltshire Probation Service
Cllr Vic Pritchard – Cabinet Member for Adult Social Services & Housing
Helen Robinson-Gordon – Comms Manager, RUH NHS Trust

Apologies:

Sue Tabberer – Safeguarding Adults & MCA Co-ordinator, CH&SC (B&NES Council)
Chris Lester - Executive Director, Freeways Trust
Det Superintendent Geoff Wessell – PPU Avon & Somerset Constabulary
DCI Dave Gill – B&NES CID Avon & Somerset Constabulary
Isla Meek – Regional Manager Four Seasons Health Care
Shirley Arayan – Principal, Norton/Radstock College
Sue Smith – Clinical Standards Manager, GWAS
David Loosley – PCT non-Executive Director, NHS BANES
Myriam Kniveton – Area Business Mgr, Stonham West Regional Office
David Trethewey – DD, Policy & Partnerships, B&NES Council

NOTES OF MEETING 13.12.10

	SUBJECT	DISCUSSION
	ACTIONS LIST	See Appendix 1 with list of Actions from this and previous meetings
1.	Apologies & Introductions	Janet Rowse welcomed everyone to the meeting, introductions made. Apologies were received.
2.	Minutes of last meeting & Matters Arising (13th Oct 2010)	<p>Minutes of the last meeting 13th October 2010 were agreed.</p> <p><u>Matters Arising</u></p> <p>A90 Geoff Wessell – Executive Summary has been delayed as need more clarification. Will bring to next LSAB in March 2011. Geoff Wessell happy to offer to speak to LSAB members individually, if needed. Please contact his P.A. Mandy Cottle [Email:</p> <p>A89 Young Adult Death – Mary Lewis has circulated paper to LSAB members.</p> <p>A78 Serious Case Review process and service user involvement. Mary Lewis and Jane Shayler to meet.</p> <p>A76 Serious Case Review process. Completed.</p> <p>A70 Service User feedback and case file audits. Lesley Hutchinson is in the process of meeting with social care staff and will report back to next LSAB in March.</p> <p>A67 Policy & Procedures from partner agencies to be received by end of July 2010. Clare to check that all have now been received.</p> <p>Avon Fire & Rescue P&P in a work in progress and should be finalised by end of March 2011.</p>
3.	Agenda Item 3	Work Stream Updates
4.	Agenda Item 3.1	<p>Governance, Leadership & Service Delivery</p> <p>(a) <u>Governance Arrangements</u> (Attachment 2 – for discussion; Attachment 2a – for adoption)</p> <ul style="list-style-type: none"> ▪ <u>TOR and LSAB members ‘conflict of interest’</u>: Lesley has checked the wording in the TOR with the regional lead for safeguarding and declared o.k. <p>Meri Rizk commented that there should be some text covering service users’. Meri to draft some words and send to Lesley who will circulate to LSAB members for agreement, prior to the next meeting, so that the TOR can be finalised.</p> <p>[A94]</p>

Janet Rowse has met with Jim Gould (Chair of the Local Children's Safeguarding Board) regarding TOR and the LSAB link with the LSCB. Lesley Hutchinson and Maurice Lindsay to meet to sort this out. **[A95]**

Ronnie Wright from the Care Forum and Lesley met. Ronnie asking if somebody from the Health & Wellbeing Partnership could attend their Board meeting. Chris Lester has offered to act as formal representative – agreed.

(b) Policy & Procedures sub-group (Attach 3)

Lesley Hutchinson and Mary Lewis checked and updated the Terms of Reference for this sub-group. The next meeting is on 16th December, when it is planned to agree them. This sub-group could do with a representative from the RUH and RNHRD. Difficult due to work pressures and need to work out priorities. Francesca Thompson would like an updated list of Safeguarding sub-groups – Clare to send this. Francesca and Lesley to have a conversation about RUH representatives to sub-groups. **[A96]**

Threshold Policy to be available by next meeting in March 2011. **[A97]**

(c) Safeguarding & Personalised Budgets sub-group (Attach 4)

Lesley Hutchinson reported on how B&NES fits in with the South West Safeguarding and Personalisation Framework. Following the analysis of the returned questionnaires to the SW Safeguarding & Personalisation group, a set of 9 recommendations have been made for Local Authorities to implement (these are listed in Lesley's report). These have now gone into our Action Plan, although some of them we were already doing. *[NB: we didn't receive the South West Action Plan until May 2010, despite some of the deadlines to implement saying March 2010].*

Generally we are progressing well; however there are some areas where we need to tighten up (e.g. Positive Risk Taking – Rec. 3&4). we have developed guidance and are alert to risk taking but need to look into this further.

Risk Enablement Panels – we need to set up more formally; there are some good examples around and we need to think about how we put these in place.

Meri Rizk said that a lot more work needs to be done with service users to ensure the risks they take are understood, which should help to lessen the need to salvage when things go wrong. Need to be clear about when a "Risk Enablement Panel" would take place; where does the 'duty of care' lie.

		<p>Mark Dean commented that there is a lack of clarity of where the starting point is. Each area has a different approach and the angle taken is more about protection for the Council involved rather than the service user. Action: The Safeguarding and Personalisation Group will look into this further. [A98]</p> <p>Jenny Theed commented that currently the CH&SC Panels do have service users attending – can we link with this and put in a ‘risk’ element? Action: Lesley will talk to Sarah Shatwell and Stella Doble about this. [A99]</p> <p>Janet Rowse asked that ‘Personalisation’ in its widest context be a standing item on the LSAB agenda. Lesley and Clare to note. This can be covered as part of the working groups feedback.</p> <p>(d) <u>Update on MCA/DOLs</u> (Attachment 5) This attachment is for noting by the LSAB. Lesley explained there had been x13 applications since April 2010, but this still a low figure.</p> <p>Francesca Thompson highlighted this mirrored the low figure for regional and national safeguarding referrals also and noted that the threshold for accepting referrals differed. For example, Wilts tend to record/catalogue everything, whereas the RUH tend to only put referrals through after discussion and therefore, may not be capturing the recording of referrals in the right way.</p> <p>Meri Rizk asked how we are comparing the range of average.</p> <p>Lesley Hutchinson said that the south west area is generally lower in receiving DOLS referrals. It’s not just about population. Dennis Little the new Safeguarding and Mental Capacity Act Coordinator for commissioning will be taking up his new post in Jan 11 and he will be looking into this.</p> <p>Mark Dean: As a point of accuracy Page 3, para 3.7 of the report should read <i>Approved Mental Health Practitioner</i> and not <i>Applied</i>. Mark Dean also commented that AWP were changing their structure and this would affect how they manage MCA/DOLS in future.</p>
6.	Agenda Item 3.2	Quality Assurance, Audit & Performance Management
7.	Agenda Item 3.2(a)	<p>Update from QAA&P sub-group (Attachment 6 - for discussion)</p> <p>Denis McCann reported. Self-assessments have been completed by the relevant partner agencies and reflected an honest appraisal. The QAA&PM sub-group would like each agency to do a single page Action Plan detailing areas of focus for the next year identified from the local self assessments recently submitted and ask the LSAB to approve this.</p>

		<p>Lesley commented that the South West Regional Safeguarding Group has produced a self-assessment tool and the QAA&PM sub-group is comparing this with the local one. Will bring findings back to the next LSAB in March 11.</p> <p>The audit process went reasonably well and identified issues/ processes that need tightening up. However, it should be noted that the audit case scrutinised was 18 months old and there have been some changes in procedures since then. The next case audit to be scrutinised will be more recent and should reflect improved safeguarding processes now in place.</p> <p><u>Data Protection</u>: The QAA&PM sub-group have identified the need for partner agencies to consent to personal data being shared between agencies for safeguarding and public safety related activities. The QAA&PM sub-group request the LSAB give consideration to this request and ask partner agencies to amend their Data Protection statements to reflect this.</p> <p>Response to Data Sharing: Partner agencies represented on the LSAB will check their Data Protection policies and see if the request of the sub-group can be accommodated. Francesca Thompson asked if some cross-referencing with existing Information-Sharing Agreement with agencies would suffice.</p> <p>Mark Dean asked what data is to be shared and in what context? Difficult to ask a service user to agree to a 'blank cheque' of their personal information being shared with other agencies. This is something that would need to be asked when it was specifically required.</p> <p>Action [A100]</p> <ul style="list-style-type: none"> ▪ Partner Agencies to check their Information Sharing Protocols/Data Protection Policies ▪ To come back to next LSAB in March 11 for further consideration and agreement if possible
Agenda Item 3.2(b)		<p>PB Health & Wellbeing Safeguarding Performance Report (Attachment 7 – for noting)</p> <p>This report is to present a bi-monthly update on adult safeguarding performance and activity in B&NES and to draw the Board's attention to any new issues of concern. The performance and activity section is provided jointly by NHS BANES and B&NES Council Commissioning Services and Community Health & Social Care Services.</p> <p>Lesley reported there is improvement in performance and activity around safeguarding.</p>

	<p>Agenda Item 3.2(c)</p>	<p>CQC 2009-10 Performance Assessment of Adult Social Services (Attachment 8 – for noting)</p> <p>CQC reported through the annual assessment of B&NES Council that safeguarding arrangements were seen to be ‘performing well’ and above the requirements laid down by CQC. CQC did identify some areas for improvement, which we were aware of eg, the recommendation to appoint an Independent Chair to the LSAB. The statutory partner agencies of the LSAB are asked to consider whether they can contribute some funding towards the post of an Independent Chair. Decision to be made at next meeting in March 2011.</p>
	<p>Agenda Item 3.2 (d)</p>	<p>Assessment of LSAB Activity in relation to CQC Requirements (Attachment 9 – for discussion)</p> <p>Lesley Hutchinson reported. The CQC have not confirmed formally how they will be working with agencies in future, therefore in order to move forward we will continue to assess ourselves around their original standards. Page 2 of Attachment 9 gives a breakdown of the categories CQC are using:-</p> <ul style="list-style-type: none"> - <i>“Performing Adequately”</i> - <i>“Performing Well” (which incorporates almost all the characteristics of Performing Adequately)</i> - <i>“Excellent” (which incorporates almost all the characteristics of Performing Well)</i> <p>Previously CQC produced ‘prompts’ for how they measured the above performance e.g. what would qualify to move your safeguarding delivery arrangements from ‘well’ to ‘excellent’. Lesley has identified a list of actions the LSAB needs to achieve to meet CQC requirements to demonstrate ‘excellent’. (see Page 3 of Attachment 9)</p> <p>Janet Rowse commented that whilst we are in a new phase of change it is important to use mechanisms that track progress and this will enable us to achieve “Excellent” for 2010-11 performance.</p> <p>Overall the LSAB was focused, acted as a decision-making forum and delivered could demonstrate it was meeting the safeguarding agenda.</p>
	<p>Agenda Item 3.3</p>	<p>Awareness, Engagement and Communication</p>
<p>10.</p>	<p>Agenda Item 3.3(a)</p>	<p>Update Report from Awareness, Involvement & Communications sub-group (Attachment 10 – for discussion) Mary Lewis reported.</p> <p>This report updates on:-</p> <ul style="list-style-type: none"> o Service user engagement and involvement o Use of publicity resources

- Website and links
- A communications and media protocol

Service User engagement and involvement

There is a strong recommendation from service user representatives (Bath People First and the Carers' Centre) that a bottom-up approach is required to ensuring the safeguarding message is embedded in everyday practice and ensuring hard-to-reach groups are included. It is recognised that engaging with small hard-to-reach groups is challenging, but a start is being made and a half-day safeguarding workshop is planned for 20th December at St Luke's Centre, Bath.

A short presentation on safeguarding adults is being devised for use at training and safeguarding events. This presentation will be available for Partner agencies of the LSAB to use.

Freeways have commissioned a piece of work with Bristol Supporting People First, which has reviewed cases and pulled together learning themes, training materials and recommendations on service user involvement. The Safeguarding Awareness, Involvement and Communications sub-group are in the process of reviewing the report to see how the Bristol findings can be utilised in Bath & North East Somerset – this to be brought back to the LSAB in March 2011.

Action: Item for next agenda [A101]

Publicity Resources: Book marks, posters, banner are now available for general use. Please book out via Mel Hodgson and Clare Tozer.

Logo and 'Chartermark': Clarification on the use of the B&NES LSAB logo on literature/information. Three options were discussed and Option 2 was adopted, that partners put the LSAB logo on their website and use this as a direct link to the B&NES Council web pages. However, partner agencies should not use the B&NES Safeguarding logo on general literature/information without first deferring to the LSAB or Awareness, Involvement & Communications sub-group.

With regard to accessing safeguarding information on websites, it was noted there are often problems in accessing information directly. It should only require two or three clicks (Gold Standard) to access safeguarding information. It has been difficult to have the safeguarding logo put on the front page of the B&NES Council website. Cllr Vic Pritchard offered to check out why this is and request it is put on the front page. **Action: Vic Pritchard [A102]**

Comms & Media Protocol

Helen Robinson-Gordon as the RUH Communications Manager has undertaken a piece of work around media protocol and safeguarding. Whereas staff are becoming more aware of their responsibilities around the safeguarding process, the actions and

intervention of the media can be intensive and prolonged and staff need help and support in dealing with this. Helen has looked at how the RUH, B&NES Council, NHS Wiltshire and NHS Somerset compare in handling the media in safeguarding cases. There seems to be no specific protocol around safeguarding issues. Helen has, therefore, compiled a Draft Safeguarding Protocol around the seven stages of a safeguarding alert as listed in the B&NES Safeguarding Policy. The Draft Safeguarding Protocol is brought to the LSAB for recommendation and approval. In-house Comms and Media training would be offered.

The LSAB were asked to comment on the Draft Media Protocol:-
Jenny Theed commented that media training should be incorporated into the Draft Safeguarding Training Strategy.

Mary Lewis commented that the Draft Media Protocol should also go to the Local Safeguarding Children's Board for comment and recommendation. **Action: Mary Lewis to discuss with the LSAB [103]**

The Safeguarding logo to be used on the front page of the Media Protocol.

Francesca Thompson commented that there should be an overall Comms lead for the LSAB and the preferred agency would be the Council. However, it was acknowledged that media management would be dependent on the individual safeguarding case and agency that was involved. If, for example, the agency involved was an independent home but the service user was Council funded, then the Council's social services would be involved in the media management.

Mark Dean commented that it was important to have a consistent and common media protocol that all the LSAB agencies adhered to and that the Comms Teams of the statutory agencies represented on the LSAB liaised with each other.

Janet Rowse commented that currently, when a media issue arises, the Council's Comms Team either contact the Director of the service, or if that person is not available another line manager and failing that the Chief Executive can be approached. The problem arises when either the Chief Executive or another Director is involved and they know about the case being reported or are not sufficiently aware of the media process. Therefore, Level 4 training is essential for all senior managers and explicit leadership arrangements need to be in place, so that when situations arise requiring a response for the media, the management levels are sufficiently trained and informed to deal with them.

Janet Rowse acknowledged that B&NES Council was the lead agent for Safeguarding and, therefore, should assume the lead in respect of Comms.

		<p>The names and contact numbers of the Comms Managers for: B&NES Council; AWP; RNHRD; Police; Fire & Rescue; RUH to be available to all members of the LSAB. Action: Clare and to circulate [A104]</p> <p>The LSAB agreed in principle to adopt the Draft Safeguarding Media Protocol and that it should be linked to the Training Strategy. Also, the protocol should include the process for handling Serious Case Reviews (SCR) and “Whistle Blowing” where a member of staff goes straight to the media about a safeguarding incident – how do we react to and manage this. [Note: These issues also to be included in the Training Strategy].</p> <p>Action: Helen Robinson-Gordon to liaise with Jenny Theed and Mark Dean and include above comments into protocol [A105]</p> <p>It was also noted that the Safeguarding Media Protocol should go on the Council’s Forward Plan as a Single Member Decision for Cllr Vic Pritchard. Action: Lesley/Clare once final approval by LSAB in March 2011 has been given [A106]</p>
11.	Agenda Item 3.4	Training & Development
12.	Agenda Item 3.4(a)	<p>Update from Training & Development Group (Attachment 12 – for discussion)</p> <p>Jenny Theed updated. The Draft Training Strategy was brought to the last LSAB, when it was agreed that partner agencies would look through and feedback comments to Jenny for inclusion as necessary. Very good response and page 2 of Attachment 12 lists feedback. The main document has been amended to reflect the responses. Majority of agencies saying there is a resource implication to match the recommendations in the Training Strategy.</p> <p>The Training Strategy embraces all partner agencies of the LSAB for safeguarding training. Core competencies have been addressed. Each Provider will have a training matrix to complete.</p> <p>There are several bands of training:-</p> <p><u>Level 1</u>: Preparatory training which covers both Children and Adults safeguarding. CH&SCS have done this via e-learning.</p> <p><u>Level 2&3</u>: Frontline staff, who will have some knowledge of Policy & Procedures.</p> <p><u>Level 2A</u>: This is for new staff</p> <p><u>Level 2B</u>: Updating training 2yrs on</p> <p><u>Level 3A</u>: For more senior staff who would deal with a safeguarding investigations.</p>

		<p><u>Level 3B:</u> Senior members of staff who chair meetings.</p> <p>Meri Rizk commented that any training delivered must ensure that the service user is at the centre (i.e. safeguarding is about protecting and helping the person being abused and not about protecting the agency involved). It is also important that service user groups take on a responsibility for training in safeguarding so that they can more readily recognise issues.</p> <p>A sentence or bullet-point needs to go into the Training Strategy document regarding follow-up on training given and supervision, to ensure staff have understood the training and can apply it in their daily work. Action: Jenny Theed [A107]</p> <p>Mark Dean commented that he has links with six Safeguarding Boards and they all have different approaches to training. Mark asked to give information to Jenny so that this can be noted in the Training Strategy document. Action: Mark Dean [A108]</p> <p>The LSAB are asked to approve and adopt the Draft Training Strategy. Agreed in principle, subject to comments above being included in the document – to be with Jenny Theed or Sue Tabberer by w/c 20th December. Training Strategy to come back to LSAB in March 2011 to be ratified.</p>
13.	Agenda Item 4.	<p>Feedback from LSCB</p> <p>Mary Lewis reported.</p> <ul style="list-style-type: none"> ▪ Discussion around performance and assessments completed. ▪ Service users in Children’s Services not being engaged in the process and this needs to improve. ▪ Discussions around family care where there are particular needs. ▪ The Royal College of GPs have published guidelines on safer recruitment, which has been well received. ▪ Bid around private foster care arrangement reporting, particular regarding children being fostered/adopted from abroad. The Local Authority does need to be informed of these private arrangements. ▪ Need to routinely check what items are being discussed at each of the safeguarding Boards (i.e. LSCB and LSAB). ▪ The LSCB is running a development day in January 2011. ▪ Report from the Child Death Panel. This has been circulated to LSAB members for information.

		<ul style="list-style-type: none"> ▪ A&E liaison – still issues with A&E linking with Health Visitors.
14.	Other Items	<p><u>Airedale Report</u> (Attachment 14) Mary Lewis circulated a summary of main issues and findings of the main report. Highlighted working with the Police. Section 4 of the summary “Implications for LSAB and Partner Agencies”. The RUH have acted on these recommendations and have things in place. Other partner agencies are asked to do likewise. Action: LSAB [109]</p> <p>The LSAB is asked to note the findings and support the recommendations and take back to their respective agencies.</p> <p>Comment made that we should agree working arrangement with the Police. Francesca Thompson said that the RUH are already in discussion with the Police and are in the process of finalising a Memorandum of Understanding (MOU). RUH are happy to share this as there is no reason to duplicate work.</p> <p>It is important to note that the findings in the Airedale Report were that ‘custom and practice’ were very much part of the culture which allowed bad practice to go unchecked. Many assumptions were made and this type of culture needs to change.</p> <p>Jenny Theed suggested a joint piece of work with the LSAB and LSCB might be helpful and to build on what the RUH has already done, to come up with some ‘principles’. There is a joint safeguarding workshop planned for 11th February, but it may not be possible to include the “Airedale Report” in this session.</p> <p>Mary highlighted the “Little Ted” case presented at the recent LSCB stakeholder event which may be useful to also reflect on.</p> <p>Jo Gray commented that it was important when developing ‘assurance’ we were clear and accurate with our information around our objective and responsibilities.</p> <p>Francesca to liaise with Mary Lewis on Police link. Action: ML [A110]</p> <p><u>PREVENT Strategy</u> (Attachment 15 and 15a)</p> <p>Derek Thorne attended for this item.</p> <p>The PREVENT Strategy (Preventing Violent Extremism) is a strand of Counter Terrorism Strategy for the United Kingdom run by the Home Office and one that the Department of Health has signed up to and the NHS has a lead role in.</p>

The PREVENT Strategy is designed to raise awareness of all staff working in the statutory and voluntary sectors around preventing terrorism. It includes trying to spot vulnerable individuals who might be susceptible to being radicalised, who might involve themselves with hate crime and far-right groups. PREVENT would seek to help those individuals steer away from such activities. Also, PREVENT seeks to support staff working with vulnerable individuals (both in the statutory and voluntary agencies) that if and when they do have suspicions about an individual, staff are able to report those suspicions to the Police.

The PREVENT Partnership operates regionally and B&NES is part of the regional group and the Local Authority has responsibility for co-ordinating PREVENT locally. There is also an action plan.

The LSAB has a role in the PREVENT process and in particular how we organise a referral process around referring a concern regarding a vulnerable individual. (See para 18 of Attachment 15)

Discussion ensued and principle of utilising the safeguarding structure. MAPPA gathers a lot of intelligence data, but could miss people, so the PREVENT strategy could act as another source of information. Jenny Theed commented that people with learning difficulties could be vulnerable and should be part of the safeguarding process around PREVENT. Cllr Vic Pritchard commented that PREVENT required a certain safeguarding expertise and the LSAB was the vehicle for this. Derek Thorne asked if a pre-criminal concern would be included as part of the overall safeguarding policy?

Mark Dean posed a different view and commented that the PREVENT process should be kept separate from the main safeguarding process, but run in parallel. To include it in the main safeguarding process would be confusing.

Mary Lewis asked what approach the other Local Authorities in the south west region were taking. Can we link together on this and create an overall policy?

Action: Derek Thorne to meet with Mark Dean, Lesley Hutchinson, Kevin Day and Tony Brazier re: operational detail. **[A111]**

Denis McCann commented that PREVENT strategy was also relevant for the LSCB and also should be included in the Training Strategy.

Kevin Day suggested that it would be helpful to look at a real case as a learning point.

15.	AOB	<ul style="list-style-type: none"> ○ <u>Safeguarding Strategy</u>: Needs updating ○ <u>Safeguarding Workshop</u>: The first annual safeguarding workshop was held in Sept 2009. It hasn't been possible to find a date in the autumn of 2010, but a date has now been finalised for Frid 11th February 2011 at Frys Conference Centre, Keynsham. LSAB members are welcome to come along, but please let Clare know. ○ <u>SCR</u>: An independent Chair has now been appointed. Terms of Reference are being drafted. A formal letter will be sent to the parties concerned.
16.	Dates of future meetings	<p>Tuesday 22nd March 2011 2pm – 5pm Venue: Board Room, PCT Trust HQ</p>

Local Safeguarding Adults Board: Notes of meeting 13.12.10

These minutes can be available in an accessible format if required. Please contact Clare Tozer on 01225 831438