

BATH & NORTH EAST SOMERSET LOCAL SAFEGUARDING ADULTS BOARD

NOTES OF MEETING HELD ON

Tuesday 27th March 2012

2 p.m. – 5 p.m.

in the Board Room, PCT Trust HQ, St Martin's Hospital, Bath.

Those Present

Robin Cowen – Independent Chair B&NES LSAB

Lesley Hutchinson – Assistant Director Safeguarding and Personalisation, B&NES Council

Sue Tabberer – Team Manager, Safeguarding Adults Team, B&NES Council

Meri Rizk – Manager, B&NES People First (voice of service user representative)

Dr Louise Leach – B&NES Clinical Commissioning Group Representative

DCI Nick Papuca - Avon & Somerset Constabulary PPU

Janet Rowse – CEO, Sirona Care & Health

Stella Doble – Strategic Director, Adult Services, Sirona Care & Health

Gary Carr-Smith – Unitary Manager, Avon Fire & Rescue Service

Fran McGarrigle – Trust Professional Lead for Safeguarding, AWP

Annie Kelly – Director of Operations & Clinical Practice, RNHRD

Sonia Hutchison – Chief Executive Officer, Carers Centre, B&NES (Carers rep)

Sophie Kent-Leger – Asst Head Teacher, Threeways Special School (B&NES)

Myriam Kniveton – Area Business Manager, Stonham West Regional Office (Supporting People)

Damaris Howard – Acting Director, Residential Services, Freeways (Health & Wellbeing
Network Rep)

Francesca Thompson - Director of Nursing, RUH (joined mtg from 3.45pm)

Jane Shayler – Programme Director for Non-Acute, Social Care & Housing, B&NES Council
(for Agenda Item 6)

Dennis Little – Safeguarding & MCA Co-ordinator, B&NES Council
(for Agenda Item 13)

Clare Tozer – Administrator/Note-take for LSAB

Apologies

Jo Gray – Divisional Director for Adult Safeguarding, Care & Practice Development, Council

Geoff Wessell – Det Superintendent, PPU Avon & Somerset Constabulary

Mary Lewis – Assistant Director of Nursing (Medicine), RUH

Mary Monnington – Director of Nursing, B&NES PCT & Wiltshire Cluster

Julie Evans – Director of Customer Services (Housing & Support), SCHAT

Kevin Day – Senior Probation Officer, Avon & Somerset Wiltshire Probation Service

Cllr Simon Allen – B&NES Cabinet Member for Wellbeing

David Trethewey – Divisional Director, Policy & Partnerships, B&NES Council

Janet Goodfellow – Regional Manager (South West), Four Seasons Care Homes

Karen Taylor – Compliance Manager, CQC South West Region

Mark Dean – Assistant Director & Head of Safeguarding, AWP

NOTES OF MEETING 27.03.12

	SUBJECT	DISCUSSION
	ACTIONS LIST	See Appendix 1 with list of Actions from this and previous meetings
1.	Apologies & Introductions	Robin Cowen welcomed everyone to the meeting and asked each person to introduce who they were, the organisation they were representing. He also welcomed those substitutes who were attending.
2.	Notes & Actions from last meeting & Matters Arising (5th Dec 2011)	<p>Notes of 5th December 2011 meeting agreed as an accurate record.</p> <p><u>Actions from last meeting</u></p> <p>A174 LSAB drives and what Sirona are contracted to do. Outstanding Action - meeting with Janet Rowse to be arranged. LH</p> <p>A172 Draft Annual Report – CQC to check around dates/measures used when assessing number of police referrals: Lesley reported that Karen Taylor CQC confirmed in an email to Lesley, that there is nothing written down and it is more to do with what we highlighted rather than specific. This also applies to mental health figures, which are low. This Action now completed.</p> <p>A165 Terminology “Adults At Risk” incorporated into Policy docs etc: On-going process.</p> <p>A163 New Safeguarding Arrangements and Multi-Agency Procedures: Draft in progress and will be presented to the LSAB in June 2012.</p> <p>A161 Safeguarding Training: This is progressing with Sirona A162</p> <p>A157 Awareness & Comms generic Induction on Safeguarding: This is on the B&NES Council website now.</p>
3.	Agenda Item 3	LSAB Sub-Groups Reports [Attachment 2 refers]
		<p>Safeguarding Adults Training sub-group Chair: Stella Doble [Sirona Care & Health]</p> <p>Stella Doble reported that representation on the Safeguarding Training sub-group was still limited. Representation currently as follows: RUH, RNHRD, Sirona, B&NES Council Commissioning, Somerset Care at Home Care Agency, Building Bridges to Wellbeing.</p> <p>Meri Rizk said she is unable to attend, but would feed into the group. Possibility that Clare Gray from The Shaw Trust could attend – this to be followed through by Stella Doble [A179]</p> <p>Sonia Hutchison (Carers Centre) said she could attend on an alternate basis.</p> <p>Fran McGarrigle said that Sophie Cousins from AWP had been identified to attend but Sophie works part-time and that may prove difficult for her to attend all the Training sub-group meetings.</p>

Stella Doble said that future dates for the Training sub-group were being organised.

Robin Cowen acknowledged there were capacity issues for all involved in attending sub-groups.

Learning & Development Framework: Stella Doble said that comments received had now been added to the document. The Framework competency is based on different levels – Level, 1, 2 and 3. Sirona are looking at training for Senior Executives and at Board level; also training for service users and those who note-take safeguarding meetings.

Separate safeguarding ‘awareness’ training for those involved with Direct Payments.

Discussion around if the Framework should apply to all organisations represented on the LSAB. Also, should we be asking organisations to complete the audit by next April 2013?

Annie Kelly commented that Safeguarding investigation training was very similar to RCA training within Health. RNHRD has developed in-house Safeguarding level 1 & 2 training as they have been unable to access multi-agency training.

Meri Rizk also expressed some concerns for B&NES People First accomplishing all the training as set out in the Framework, as they too were a small organisation.

Robin Cowen said that organisations represented on the LSAB would need to look at their internal training for safeguarding and see if the competencies match those outlined in the Framework and if not, look to see how those competencies can be achieved.

Robin Cowen said the LSAB needed to sign up in principle to the Framework and individual organisations would need to indicate what they can or cannot achieve. Imperative that there is a communal standard that reflects the expectations of B&NES LSAB and that individual organisations did not invent their own training around the Framework. Where necessary, joint training should followed through.

Janet Rowse and Stella Doble said that in-house training should meet the standards/competency as laid down in the Framework.

Louise Leach said that the Framework was a good but she did have some concerns that it would be unrealistic to achieve in some Health areas – for example, the expectation for half-day training sessions for GP Reception staff, many of whom work part-time and where it would be difficult to release those staff for a half-day from a service delivery practicality.

Acknowledgement that there were some practical difficulties around some staff receiving safeguarding training. However, the Training Framework should be agreed and accepted in principle by the LSAB with a view to looking at the practicalities separately.

Completion of the audit would also be an aid to how the Training Framework is working and where support should be targeted.

Decision: Agreed to adopt in principle the Learning & Development Framework. Audit feedback by Sept/Oct 2012, rather than April 2012.

S.A. Policy & Procedures sub-group

Chair: Damaris Howard [Freeways]

Damaris Howard updated. A representative from the RUH is now attending the sub-group. The group has looked at the Terms of Reference and Action Plan and is finalising multi-agency policies. Work continues on the Trigger Protocol.

The sub-group has compiled a list of multi-agency Policies and Procedures and almost completed the review schedule. Reviews are planned on a two-yearly basis unless otherwise stated.

The sub-group is asking the LSAB to approve and adopt the Self-Neglect guidance. To be reviewed every two years.

To note that all LSAB sub-groups need to review their Terms of Reference.

LSAB Terms of Reference to be reviewed at next LSAB Chairs sub-group meeting. **Action: Robin Cowen [A180]**

S.A. Quality Assurance, Audit & Performance Management sub-group (QAA&PM)

Chair: Gary Carr-Smith [Avon F&R]

Gary Carr-Smith updated. The sub-group continues to do a case file audit at each of its meetings, with each agency represented on the QAA&PM offering a case for audit. This process has highlighted some gaps in how safeguarding referrals are dealt with and as a result suggestions on how to improve practice have been given.

Self-Assessments were reviewed at the last meeting in February, in particular Avon Fire & Rescue and Police. Some amendments made from 'red' to 'amber'. Where agencies have a 'red' highlight against an activity/target, it is suggested those agencies provide an action plan. Lesley Hutchinson and Alan Mogg (Safeguarding Adults Team) will review and report back to the QAA&PM.

S.A. Awareness & Communications sub-group

Chair: Mary Lewis [RUH, Bath]

Lesley Hutchinson reported on behalf of Mary Lewis.

Sirona Care & Health have evaluated the pilot of their safeguarding adults' feedback questionnaire. Changes have been made and the updated questionnaire will be used by service teams as from April 2012. Completed questionnaires will be sent directly to the Council's Commissioning Team for collation and analysis.

A new improved safeguarding leaflet will shortly be available and the LSAB are asked to agree the leaflet.

		<p>The Awareness & Communications sub-group have achieved a lot in promoting Safeguarding in the community and designing leaflets, posters and information generally. Thank you to the RUH for their support in paying for the production of the Safeguarding 'credit cards'.</p> <p>Posters, Leaflets, Credit Cards and Bookmarks were made available at the meeting for people to take. All this information is available on the Council website: http://wwwi.healthandsocial/SafeguardingAdults/Pages/default.aspx</p> <p>Safeguarding & Personal Budgets sub-group Chair: Lesley Hutchinson</p> <p>The sub-group has been auditing a recent personal budgets and safeguarding case to ensure appropriate action and arrangements were in place. The situation raised the issue of a service user's PA (Personal Assistant) and finances. Various views were sought - legal view, service user perspective, B&NES People First, Shaw Trust (Vol Sec provider). From a service user's perspective, it is the service user's personal budget and, as such, they are the 'employer' and responsible and should raise the complaint. B&NES Council Adult Care Services can offer support in such cases.</p> <p>As a result some guidance will be written up to help clarify the process in reporting concerns around mis-use of PBs.</p> <p>Mental Capacity Act/Local Implementation Network (MCA/LIN) Lesley Hutchinson reported.</p> <p>The MCA/LIN met on 23rd March 2012</p> <p>The MCA Policy launch event took place on 27th February 2012, which was well attended.</p> <p>In respect of DOLs (Deprivation of Liberties) applications, there is a marked increase from last year, with x26 applications received 2011-2012, an increase of 73% which is more realistic. Training and raising awareness has had an impact on this figure. Health's responses still need to be sharper, but Care Homes have been very good at reporting.</p> <p>An annual summary will be collated for the LSAB in Sept 2012 once the national report has been received.</p> <p>Dennis Little, B&NES Safeguarding & MCA Co-ordinator, is attending LSAB for Agenda Item 13 MCA Presentation.</p>
4.	Agenda Item 3	LSAB Safeguarding Indicators (Attachment 4 refers)
		<p>Presented to LSAB for discussion and adoption.</p> <p>Had received feedback from most LSAB member agencies with indicators. Common issue is around training.</p> <p>Stella Doble asked, in respect of the training indicator, as we are an integrated service, if Level 2 could be a single figure of 97%? Annie Kelly (RNHRD) said the NHS indicator is 80% on training standard. Robin</p>

		<p>Cowen said the percentage needed to be achievable for all agencies. General discussion around this percentage agreed that 97% was too high and unrealistic. Health and Social Care services are in different places regarding indicator percentages. Accepted, though, that Social Care could not come down to 80%. There are no benchmarks now across Local Authorities or with CQC to make comparisons – very much left as a local decision. Could do percentages in stages, 85% for 2012-13 and then rise to 90% for 2013-14. However, Commissioners will pick up if under the agreed percentage category for 2013-14 Need to keep Health and Social Care separate, but Damaris Howard pointed out that from a Provider’s perspective that would be unfair. Proposal for 85% - 90%, but would need to check with RUH who might hold a different view.</p> <p>Robin Cowen said that a decision would need to be based on what the B&NES LSAB would want achieved and also from a Commissioner angle.</p> <p><u>Agreed</u> that the percentage would be 85% for 12/13 and 90% for 13/14 as a base. [Clarified 97% to 85% for the target.]</p> <p><u>Agreed</u> that LSAB adopted rest of indicators.</p>
5.	Agenda Item 3	Self-Neglect Guidance (Attachment 5 refers)
		<p>Self-Neglect Guidance has been drawn up as the issue of ‘self-neglect’ is not covered under the general Safeguarding Guidance or Policy. The Self-Neglect Guidance sets out context i.e. people’s mental capacity, thresholds, self-determination and choice, recent management and duty of care. It also gives situations professionals can look at where self-neglect may be occurring. Another example of where self-neglect could be considered is under Sec 3 of the FACs criteria (Fair Access to Care) – where a person may be able to do, but chooses not to do – that situation then becomes ‘self-neglect’. The guidance also looks at potential triggers to self-neglect; multi-disciplinary response; legal advice; monitoring and reviewing; keep service user informed. Also need to support staff where someone is in a ‘self-neglect’ situation and where there is a duty of care.</p> <p>Policy & Procedures sub-group have checked the guidance as have legal.</p> <p>LSAB agreed to adopt the Self-Neglect Guidance.</p> <p>Note on terminology – Vulnerable Adults to be changed to “Adults At Risk”.</p> <p>The document will go on the B&NES Council website.</p>
6.	Agenda Item 3	Referral Audit Report (Attachment 6 refers)
		<p>In October 2011 an audit was completed of the experience referrers had when making a safeguarding referral. This was undertaken in response to concerns raised by the LSAB from other providers. The concerns were that safeguarding alerts were not always treated with sufficient seriousness by staff and that they had not received any feedback about the outcome of their referral. The audit was completed over 5 weeks and 33 questionnaires were sent to referrers; a total of 12 questionnaires were returned providing a response rate of 36%. Overall the findings showed that referrers did get a good response. We do, however, need to be more aware of how much we are getting back to people.</p>

		Lesley Hutchinson commented that feedback from the MCA Launch with care homes indicated that B&NES were very good at responding.
7.	Agenda Item 4	LSAB Chair's Report (Attachment 7 refers)
		<p>Robin Cowen reported on the National Safeguarding Chairs meeting he attended on 24th January 2012. This was a useful meeting acting as a 'knowledge hub' for Safeguarding Chairs. One of the issues raised at this meeting was the procedure for following through Serious Case Reviews and Domestic Homicide Reviews. There are no clear guidelines or benchmarks on process and it is up to Local Authority LSABs/LSCBs to develop its own procedures for Serious Case Reviews.</p> <p>Action: Need to agree B&NES position for SCRs. Also need to link with B&NES Responsible Authorities Group (RAG) in respect of DHRs. [A181]</p> <p><u>Future of LSABs:</u> LSABs should be statutory like the LSCBs. A White Paper is due out in the Spring together with draft guidance. B&NES LSAB is in a good position and is mostly compliant with the guidance.</p> <p><u>Performance management and data:</u> This tends to be LA/NHS biased and needs to change to include member agencies.</p> <p><u>Prison Inspectorate to include Safeguarding:</u> Safeguarding now to be included in respect of prisoners especially where there are MH, LDs and physical disability issues.</p> <p><u>User/Carer Input/Citizens' Groups:</u> Paper to be circulated based on Hampshire experience.</p> <p><u>B&NES SCR and learning:</u> Meeting held to discuss learning points on the recent SCR process – protocol to be updated.</p>
8.	Agenda Item 5	Local Safeguarding Children's Board
		Jo Gray unable to be at today's meeting. A written update to go out with notes of this meeting. Action: Jo Gray [A182]
9.	Agenda Item 6	ADASS Update on Winterbourne View (Attachment 8 refers)
		<p>Jane Shayler attended the LSAB for this item and reported on initial findings and lessons learned from the Winterbourne View investigation – see Attachment 8.</p> <p>Two members of staff at Winterbourne View have pleaded 'not guilty' and this has affected when the findings can be published. The Strategic Health Authority (SHA) will do a final review and bring together the various findings of the review – this is likely to be in six months.</p> <p>Main issues arising out of the initial findings are around communication and co-ordination of information, e.g. situations where people 'thought there was something wrong' but didn't feel able to or think it should be reported etc. Locally a short-term 'task and finish' group will look at the quality assurance and safety framework to see how improvements can be made.</p>

		<p>In Cornwall they have agreed that the LSAB will develop an Action Plan in response to the Winterbourne initial findings and how their LSAB is going to follow through quality assurance.</p> <p>Nick Papuca asked if phone calls were monitored to and from care homes in the B&NES area? This does now happen since a recent SCR, but only where B&NES commissions a service. Trigger Protocol should also come into effect – how many phone calls before information is shared, etc.</p> <p>More work needs to be done on enabling people to use the “Whistle-blowing” process. Also, for service users to be able to say when something is worrying them – need to change the culture so that people feel empowered and that it is worth saying.</p> <p>Jane Shayler said that recommendations will be made for all Children, Adult and Health Services to be joined-up around assurance, quality and safety.</p> <p>Robin Cowen thanked Jane for her update and the LSAB noted the initial findings and how this will impact.</p>
10.	Agenda Item 7	LSAB/LSCB Update and Feedback from Away Day (22nd Feb 2012)
		<p>Successful away day. Outcomes from the day were emailed out to members of LSAB on 28th Feb 2012. Need x3 members of LSAB to work with the LSCB: Lesley Hutchinson, Stella Doble and Sonia Hutchison agreed to be nominated. [A183] LH to feedback at the next meeting</p>
11.	Agenda Item 8	Local Account (Attachment 9 refers)
		<p>The Local Account is a Government initiative to help residents see how local adult social care services are managed in their area. The content of the Local Account will also include information on Safeguarding. The headings covering Safeguarding have been laid down by ADASS (Association of Directors of Adult Social Services).</p> <p>The LSAB are asked to:-</p> <ul style="list-style-type: none"> - <i>Think about content</i> - <i>Treating people with dignity</i> - <i>Community Safety angle</i> - <i>Case Study</i> - <i>Joint Police, Probation and Mental Health workshops</i> <p>Suggestion that compiling narrative for inclusion in the Local Account should be given to Comms & Media Teams. An ‘easy read’ version should also be made available.</p> <p>RUH, Sirona, Avon Fire & Rescue and Stonham will give examples around community safety and dignity, to be included in the narrative. Meri Rizk will give examples of ‘safe havens’ in respect of people with LDs/Disability.</p> <p>Timescale for member agencies to respond is two weeks (i.e. by w/e Frid 13th April).</p>

12.	Agenda Item 9	Safeguarding & Carers (Attachment 10 refers)
		<p>Sonia Hutchison reported. Following discussion at the LSAB held in Dec 2011, an Action Plan has now been developed in discussion with the Awareness & Comms sub-group and based on information and recommendations made in the ADASS report July 2011 “Carers and Safeguarding Adults – Working Together to Improve Outcomes”.</p> <p>ADASS suggesting a representative for carers should sit on the Partnership Board for Health & Wellbeing. Dr Simon Douglass to be approached to fulfil this role. Action: JG to make request [A184]</p> <p>LSAB to consider how Carers are included in the Annual Report. Action: LH [A185]</p> <p>In respect of Point 4 of the Action Plan – need to break this down over time.</p> <p>Awareness & Comms sub-group to monitor this Action Plan. Action: Mary/ Lesley [A186]</p>
13.	Agenda Item 10	Structure for Safeguarding Strategy 2012-2015 (Attachment 11 refers)
		<p>The Safeguarding Strategy for 2009-2011 and Action Plan has now expired. The LSAB now needs to set its direction of travel for 2012 and beyond. The strategic goals were agreed at the workshop held in Sept 2011 and link with the five domains as laid down by ADASS, SHA and Local Government groups.</p> <p>Agreed the following:-</p> <ul style="list-style-type: none"> - Principles as outlined in this paper - Include prevention work with service users - Timescale of 3years <p>Any comments on the content of the new Safeguarding Strategy should be given to Lesley Hutchinson by the end of April 2012.</p> <p><u>Actions:-</u> Action Plan Tracker (Appendix 2): Need lead agency/person against items.</p> <p>Amalgamate Appendices 1 and 2.</p> <p>Action: [A187] LH to present at the next meeting for discussion</p>
14.	Agenda Item 11	Police Public Protection Unit (Attachment 12 refers)
		<p>DCI Nick Papuca from PPU outlined the re-organisation of Avon & Somerset Constabulary’s Public Protection Unit.</p> <p>There are now three Investigation Team (‘hubs’) covering Adult and Child Protection. Head of Public Protection: Det Superintendent Geoff Wessell DCI Public Protection Investigations: DCI Nick Papuca DCI Safeguarding Co-ordination & Interventions: T/DCI Leanne Pook</p>

		<p>B&NES and South Glos Investigations Team: D.I. Mike Williams</p> <p>B&NES & South Glos SCU Manager: D.I. Janice Pearson and D.I. Matthew Iddon (wef March 2012)</p> <p>For further information regarding implementation please contact DCI Liz Tunks (01275 816761)</p> <p>DCI Nick Papuca and DI Mike Williams will be attending LSAB in future.</p> <p>Robin Cowen to formally write to DCI David Gill to thank him for his representation and contribution to the LSAB. Action: Robin Cowen [A188]</p>
15.	Agenda Item 12	Update on progress of new SA Arrangements with AWP
		<p>Verbal update from Fran McGarrigle on the restructuring arrangements for AWP. New service design will be in place by Monday 30th April 2012. Council are working with AWP to develop a Social Work (mental health) Strategy and are looking at the safeguarding arrangements delivered by AWP mirroring those delivered by Sirona Care and Health. The aim is for this to be in place by the end of April also. Action: LH to update at the next meeting [A189]</p>
16.	Agenda Item 13	Mental Capacity Act (MCA) Presentation
		<p>Dennis Little, MCA & Safeguarding Co-ordinator for B&NES attended the LSAB for this item – hard copy of presentation circulated at meeting <i>The Mental Capacity Act 2005 – a brief look at the interface with Safeguarding Adults</i> – (attached with these notes)</p> <p>Dennis covered the following points:-</p> <ul style="list-style-type: none"> - <i>A brief summary of the MCA and practice issues</i> - <i>The MCA and safeguarding interface</i> - <i>Examples of recent case law and implications for Safeguarding practice</i> - <i>Current governance arrangements for MCA reporting</i> <p><u>MCA/Safeguarding Interface:</u> B&NES not referred to the Court of Protection and concerns about this as the Council could find itself in a position of having to pay out compensation. Even after DOLs process if things are not resolved we would have to go to Court of Protection.</p> <p><u>MCA/Local Implementation Network:</u> Whilst this has been a useful wider meeting, it will need to be revised or replaced with a more efficient way of reporting across the agencies; toolkits are available for MCA audits.</p> <p>There is a lack of knowledge concerning the Mental Capacity Act - it is important, therefore, that the B&NES LSAB is aware of this problem and steps need to be taken around quality assurance with agencies.</p> <p>Dennis Little does MCA/DOLS training.</p>

	Dates of future meetings	
		Tues 26 th June 2012 [Venue: Somer] Tues 25 th Sept 2012 [Venue: Somer] Tues 11 th Dec 2012 [Venue: Somer]

These minutes can be available in an accessible format if required – contact 01225 477180