

AGENDA MANAGEMENT SHEET

Name of Committee **Adult and Community Services Overview and Scrutiny Committee**

Date of Committee **2nd December 2009**

Report Title **Safeguarding Vulnerable Adults in Warwickshire**

Summary This report and accompanying papers outline the local arrangements in Warwickshire to Safeguard Vulnerable Adults from abuse. Projected demand in this area of work over the coming four years is outlined, together with recommendations for additional new resource that will be required to manage the area of work safely over this time period.

For further information please contact:

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Would the recommended decision be contrary to the Budget and Policy Framework? No.

Background papers None.

CONSULTATION ALREADY UNDERTAKEN:- Details to be specified

Other Committees

Local Member(s) Not Applicable

Other Elected Members Councillor L Caborn, Councillor T May, Councillor F McCarney, Councillor R Dodd

Cabinet Member Councillor C Hayfield

Chief Executive

Legal Alison Hallworth, Adult and Community Team Leader

- Finance Chris Norton, Strategic Finance Manager
- Other Chief Officers
- District Councils
- Health Authority
- Police
- Other Bodies/Individuals Liz Bruce, Head of Local Commissioning
Alwin McGibbon, Scrutiny Officer

FINAL DECISION YES

SUGGESTED NEXT STEPS:

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

**Adult and Community Services Overview and Scrutiny
Committee– 2nd December 2009**

Safeguarding Vulnerable Adults in Warwickshire

**Report of the Strategic Director of Adult, Health and
Community Services**

Recommendation

It is recommended for the Adult and Community Services Overview and Scrutiny Committee to consider the content of the report and note the budget pressures that will be generated over the next four years to manage this growing and critical area of demand safely.

1. Background

- 1.1 In the exercise of its Social Services function, WCC has a statutory obligation to lead the development and implementation of local inter-agency arrangements to protect Vulnerable Adults from abuse.
- 1.2 Safeguarding Vulnerable Adults is a key priority area for WCC Adult Social Care. The efficacy of arrangements to Safeguard Adults features prominently in the CQC Performance Assessment of council social services for adults. Ineffective arrangements will not only adversely affect the Council Adult Social Care star rating, but, due to the nature of the field of work, may also risk the safety, wellbeing and ultimately the lives of vulnerable adults through exposure to abuse.
- 1.3 Projections for operational demand suggest an adult protection referral rate of over 2,000 referrals per year by 2014. This figure remains well within the 3,580+ local prevalence figure from research- a factor which supports a projected referral increase of this magnitude.
- 1.4. To resource the predicted additional strategic and operational costs in this area of activity, additional new resources are indicated as below:

2010-2011	2011-2012	2012-2013	2013-2014
£171,000	£291,500	£412,000	£532,500*

- 1.5 Key issues for further scrutiny-
- The projections for increased activity over the coming four years to 2014 and the types of resources required to manage demand safely.
 - Options for covering the resource requirements to meet increased

activity over this time period.

2. Accompanying Papers

2.1 “Safeguarding Vulnerable Adults in Warwickshire”- Report to WCC Strategic Directorate Leadership Team, 21st October 2009

This report outlines the national background and local arrangements for the protection of Vulnerable Adults from abuse- the field of work increasing being referred to as Safeguarding Adults or Safeguarding Vulnerable Adults work. The report outlines current local activity and resource commitments, and projected activity and resource demand over the next four years to 2014.

2.2 “Safeguarding Vulnerable Adults – A Review of Adult Safeguarding in Warwickshire 2008/09”. Annual Report of the Warwickshire Safeguarding Adults Board, September 2009

This report outlines the current local arrangements to Safeguard Vulnerable Adults, and outlines the incidence and profile of Vulnerable Adult protection referrals in Warwickshire 2008-9. It establishes some trend information looking back over 2006-9, analysing the first three full years where local information has been gathered.

GRAEME BETTS
Strategic Director of Adult,
Health and Community Services

Shire Hall
Warwick

October 2009

**Warwickshire County Council
Strategic Directorate Leadership Team**

21st October 2009

Safeguarding Vulnerable Adults in Warwickshire

Summary-

This report outlines the national background and local arrangements for the protection of Vulnerable Adults from abuse- the field of work increasing being referred to as Safeguarding Adults or Safeguarding Vulnerable Adults work. The report outlines current local activity and resource commitments, and projected activity and resource demand over the next four years to 2014.

Recommendation

For SDLT to:

1. Note the content of the report.
2. Note the budget pressures that will be generated over the next 4 years to manage this growing and critical area of demand safely.

1. Policy & legal background

- 1.1 In 2000, the Department of Health issued guidance on developing and implementing procedures to protect Vulnerable Adults from abuse. Entitled "*No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse,*" it provides a definition of 'Vulnerable Adult' and of adult abuse. "*No Secrets*" requires agencies that have contact with vulnerable adults to act jointly through shared procedures to protect Vulnerable Adults from abuse. The aim is to create a framework for action where all responsible agencies work together to ensure a consistent and timely response to protect vulnerable adults who are at risk of abuse. *No Secrets* gave Local Authorities the lead role in developing these local inter-agency arrangements.

Local Authorities have a legal obligation to exercise their social services function in accordance with this guidance under Section 7 of the LASSA Act 1970.

- 1.3 Within the last 4-5 years the national policy debate has moved to speaking in terms of "Safeguarding Adults"- a term that encompasses the protection work to safeguard vulnerable adults who are at risk of abuse or who have experienced abuse, but also proposes a wider agenda of preventative and proactive work to both minimise the risk of harm & abuse, and to promote individual rights, independence and dignity.
- 1.4. While inter-agency Vulnerable Adult Protection procedures have been developed locally across Authorities in England & Wales in a similar vein to inter-agency Child Protection Procedures, and Authorities are increasingly following similar strategic management arrangements to Children's Safeguarding work, there have been a growing number of calls for primary legislation for adult protection work. To reinforce their cause, lobbyists for primary legislation have cited the tragic deaths of Stephen Hoskin, Margaret Panting and other relatively high profile adult abuse cases that have attracted media attention. However, these cases have not attracted anything like the same media and political attention as recent child abuse deaths- a fact that has also been used by the lobbyists to bolster their calls for primary legislation, claiming a clear message from legislation and the resultant investment in resources is required to change practice, and public consciousness/awareness of adult abuse.

- 1.5. In response to pressures to act, the Department of Health has undertaken a formal review of *No Secrets* in 2008-9. A high number of written responses were received for the review consultation- over 500, the highest response rate for any DoH consultation to date. The consultation deadline was 31st January 2009, and the DoH is yet to publish a formal response, though they have published a report analysing the responses received¹.
- 1.6 It is unclear what the DoH may propose in response to the consultation. From available evidence, it seems there is some resistance to the idea of intervention legislation, though a duty to cooperate and duty to investigate adult abuse may not be out of the question. There has been a high level of support for placing Safeguarding Adults Boards on a statutory footing in the same way as Local Safeguarding Children's Boards, and this outcome does seem likely. We may see updated guidance issued, although it seems unclear which current statute could be used to create a statutory instrument that binds all involved agencies.

2. Strategic Safeguarding Adults Arrangements within Warwickshire

- 2.1 There is a multi-agency management committee in place within Warwickshire to address local development and coordination. The Warwickshire Safeguarding Adults Partnership & Board (WSAB)² was created in 2007 following a review of the previous arrangements and committee, whose membership had become diluted, and was struggling to achieve a positive level of interagency engagement.

The WSAB is designed to fulfil a similar function to the Local Safeguarding Children's Board, but does not share a similar statutory footing.

- 2.2 The DoH analysis report¹ of the responses to the *No Secrets* consultation suggests widespread support for placing local Safeguarding Adults Boards on a statutory footing. This outcome does seem likely, and we can expect supporting guidance outlining the role, function and outcomes required of Safeguarding Adults Boards. This likely to be underpinned by national standards and performance measures, and would be subject to scrutiny by regulatory agencies. The type of role and function proposed for the Boards can be seen in the information in Appendix 1.
- 2.3 The WSAB is currently under-resourced to fulfil such a range of functions. Additional new investment would be required and looking to the Children's model and local need, an annual cost of **£182,857** is projected- see below-

Warwickshire Safeguarding Adults Board- projected annual cost.	
WSAB Independent Chair (Circa 10 days p.a. at £500 p/day)	£5,000
WSAB Serious Case Review Independent Chair/Author (estimated 2 SCR p.a.)	£16,000
WSAB Strategic Development Manager (FTE- circa Hay 10 & 22% on-costs)	£52,331
Interagency Training Officer (1xFTE- circa PO2 SCP34-7 & 22% on-costs)	£37,266
Administrator/Quality Assurance Officer (1xFTE- circa £18,000 & 22% on-costs)	£21,960
Training costs	£20,000
Standing Conference	£5,000
Publicity, Information & Interagency Procedure Printing costs	£25,000
Subscriptions	£300
TOTAL	£182,857

2.4 Currently there is no dedicated budget to support the operation of the WSAB. The WSAB is based on a Partnership model, and in the same vein as the Children's model, we could expect funding for the WSAB to be shared across involved agencies. However, in the current financial climate, it is unlikely shared funding arrangements will be forthcoming without statutory guidance and a national funding formula directing local development of shared funding. These developments may well arise as an outcome from the *No Secrets* consultation, but would realistically be 3-4 years in the future. To promote robust interagency strategic management arrangements for Safeguarding Adults over the coming 4 years based on the model above, it is likely Adult, Health and Community Services would need to be the major, if not sole, funder of the WSAB development.

3. Operational Safeguarding Adults Arrangements within Warwickshire.

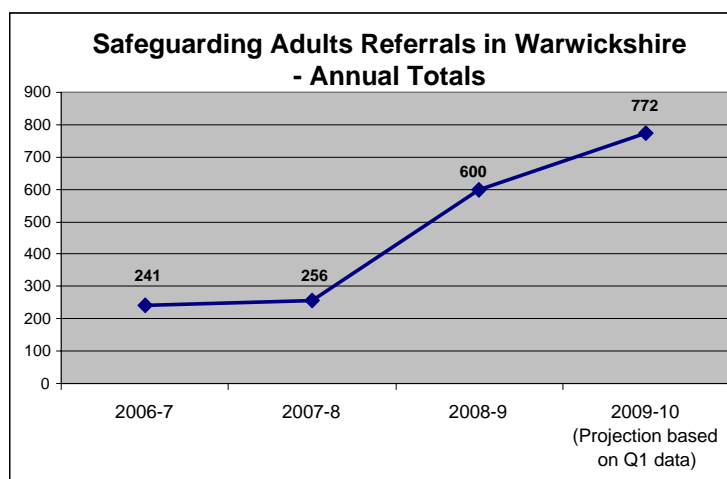
3.1 Current operational arrangements-

No Secrets did not specifically give Local Authority social services departments the responsibility to act as referral point and coordinating agency for adult protection concerns, but this has become the norm nationally and locally, and looks set to continue in any future guidance that may be issued. Some role confusion has arisen in relation to the responsible coordinating agency for vulnerable adults with mental health needs (18-65) following the gradual integration of the social services function for this group into integrated health and social care teams within the three Warwickshire PCT's and since 2006, within the Coventry & Warwickshire NHS Partnership Trust. There is work underway to formalise the agreement of this transfer of social services function under the health care flexibilities of Section 75 of the Health Care Act 2006. It is planned the Section 75 agreement will contain a Schedule formalising the role of the CWPT as the coordinating agency for Safeguarding Adults referrals regarding vulnerable adults with mental health needs (18-65).

For all other vulnerable adults the referral point and coordinating agency is WCC Adult Social Care. The main user groups referred are older people, and people with learning or physical disabilities.

3.2 Local Safeguarding Adults operational activity-

Data has now been collected on adult protection referrals for three full years, and some trend information is emerging. The data below comes from Adult Social Care only, and does not include vulnerable adults with mental health needs (18-65).



The data shows a clear upward trend in referrals, with a particularly large increase of 135% in 2008-9. Quarter 1 information from 2009-10 reveals a continued upward trend with 193 referrals received suggesting a 29% increase. This ongoing growth is closer to the last available National Council Average which showed a 36%³ increase in referrals. This level of activity is not peculiar to Warwickshire, and most Local Authorities have seen a sizeable increase in this field of activity. See Appendix 2 for a national comparison.

- 3.3 National research⁴ suggests that 4% of all adults over the age of 65 who live in private households have been subject to some form of abuse. Nationally this equates to 342,400 older people, and, based on the local population, this equates to 3,580 older people in Warwickshire who will have been subject to abuse. This figure does not include people who do not live in private households (e.g. care homes), and does not include vulnerable adults aged under 65.
- 3.4. This data confirms findings from research that suggest only a small proportion of Vulnerable Adults who have been abused come to the attention of the inter-agency Safeguarding Adults processes⁴.
- 3.5. The scale of the increase in referrals since April 2008 has challenged the current capacity of AHCS Local Commissioning social work teams to manage the workload safely, and continues to stretch the ability of the current staff resources to respond adequately to the volume of new referrals. Anecdotal feedback suggests as a result of increased volume, a growing number of cases are exceeding best practice procedural timescales for initial assessment and full assessment. This has yet to be evidenced by audit processes, but is concerning.

- 3.6 **Growth of “Service and service-quality” Safeguarding Adults concerns.**
Expectations of the role of the Local Authority in monitoring, quality assurance and leading improvement in the Social Care Provider Service Sector has increased significantly in the past 3-4 years. The “refocusing” of the role of the regulatory agency Care Quality Commission (CQC, formerly CSCI) over the past 3-4 years has clarified the role of CQC as the regulator, not as the agency responsible for assessing and leading quality improvement in the local service provider sector. CQC have been explicit in their expectation that Local Authorities’ arrangements for Safeguarding Adults must include *“effective arrangements for scrutinising and monitoring services, including procedures for checking whether matters have been put right”*⁵.

Local Warwickshire Safeguarding Adults data confirms this shift in expectation and responsibility. The proportion of referrals where CQC (formerly CSCI) acted as Lead Agency in the investigation of the Safeguarding Adults concern has reduced from 18% in 2006-7 to 0% in 2008-9⁶.

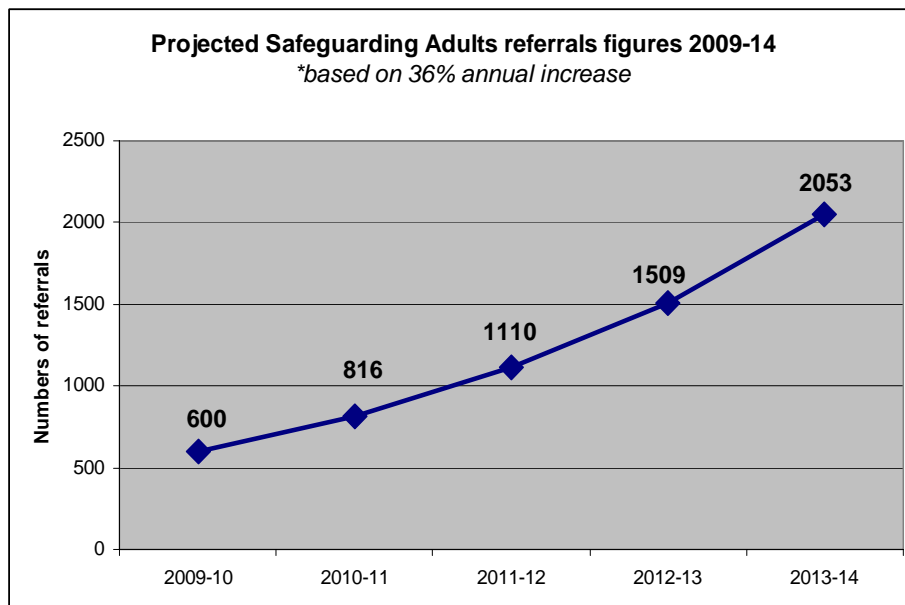
In 2008-9, WCC Adult Social Care Contract Monitoring Team recorded 125 Safeguarding Adults concerns within contracted social care provider services. This equates to a significant workload for the ASC Contract Monitoring Team, and many of the cases involved some very complex contract monitoring and quality assurance work. Following the migration of appropriately skilled staff to the national regulatory agency in 2000 (when the Care Standards Act effectively nullified the role of Local Authority SSD Registration and Inspection units), many Local Authorities including Warwickshire now feel there is a skills and capacity gap for existing staff to manage the demands of complex contract monitoring and complex service quality assessment which is largely akin to the inspectorate role.

4. **Looking to the future- projected operational demand & resource implications 2010-14**

4.1. **Operational demand 2010-14**

Predicting future demand in this area is difficult. There was a large surge in the referral rates in 2008-9, but this is explainable by several local factors converging in one year⁶ and is unlikely to occur in subsequent years. The Quarter 1 information for 2009-10 supports this view and provides a projected referral increase of 29% which is closer to the national Council Average of 36%³.

- 4.2 Using the 36% increase figure as the best projection figure available, referrals can be expected to increase as below:



- 4.3. This projection suggests an adult protection referral rate of over 2,000 referrals per year by 2014. Importantly, this figure remains well within the 3,580+ local prevalence figure from research- a factor which supports a projected referral increase of this magnitude.
- 4.5. Based on this projection, we can expect the Adult Social Care activity in this area to more than triple over the coming four years.
- 4.6. **Resource Implications 2010-14**
To manage this predicted demand, new additional dedicated resources will be required across both ASC Local Commissioning and ASC Strategic Commissioning divisions. A proposed staff resource model is suggested as below:

Projected additional Safeguarding Adults staff resources for Adult Social Care 2010-14	
<u>Existing dedicated resources as of 2008-9 :</u>	
6x Safeguarding Adults Lead Practitioners (SCP 39 & 22% on-costs)	£237,717
1x Adult Protection Coordinator (SCP 41& 22% on-costs)	£41,732
1x DOLS Assessment Coordinator Post (circa SCP 17 & 22% on-costs)	<u>£20,328</u>
Existing dedicated staff resources- Total	£299,777
<u>New required Resources ASC Local Commissioning 2010-14 :</u>	
5x dedicated Level 3 Social Work posts (SCP 33 & 22% on-costs)	£170,879 ¹
1x Safeguarding Adults Lead Practitioner- LD (SCP 39 & 22% on-costs)	£39,620
1x dedicated Assessment Coordinator Post (circa SCP 17 & 22% on-costs)	£20,328
<u>New required Resources ASC Strategic Commissioning 2010-14 :</u>	
3x dedicated Safeguarding Adults Service Assessor posts (North, East and South Warwickshire) (3x FTE circa PO4 & 22% on-costs)	£118,860
Required new dedicated staffing resource 2010-14: Total	£349,687

¹ As per Budget Pressure bid of £171k

5. Conclusions

- 5.1. Safeguarding Vulnerable Adults is a key priority area for WCC Adult Social Care. The efficacy of arrangements to Safeguard Adults features prominently in the CQC Performance Assessment of council social services for adults. Ineffective arrangements will not only adversely affect the Council Adult Social Care star rating, but, due to the nature of the field of work, may also risk the safety, wellbeing and ultimately the lives of vulnerable adults through exposure to abuse.
- 5.2. Projections for the next four years suggest a significant increase in activity in this field of work, and indicate a need for substantial new investment in additional resource for:
- Strategic management costs relating to the funding of the Warwickshire Safeguarding Adults Board.
 - Operational staffing costs within Adult Social Care to manage a predicted threefold growth in operational Safeguarding Adults activity.
- 5.3. To resource the predicted additional strategic and operational costs in this area of activity, additional new resources will be required. A bid for £171,000 has been made for 2010-11 to fund an additional 5 social work posts as shown in Para 4.6. These costs were based on the information available and work done at the time that the budget pressures papers had to be submitted. Since the submission however, the requirement of a year on year additional resource in the region of £120,500 over the following three years to 2014 has also been identified. This can be broken down as follows, illustrated in terms of spend over and above 2009-2010 levels for the next 4 years:

2010-2011	2011-2012	2012-2013	2013-2014
£171,000	£291,500	£412,000	£532,500*

The figures below demonstrate how this total reconciles to the workings contained within this report.

Costs from Para 2.3	£182,857
Costs from Para 4.6	<u>£349,687</u>
Total additional resources needed.	£532,544*
2010-2011 Budget Pressure Bid	(£171,000)
Remaining pressure	£361,544*

- 5.4. There is a need to ensure that the model for additional staffing resources within Adult Social Care is considered and implemented carefully. Building on the key principle that safeguarding, as well as promotion of independence, choice and control, must underpin all we do in Adult Social Care, it is critical that responsibilities and new dedicated resources for Safeguarding Adults are fully integrated into existing and mainstream service delivery models.
- 5.5. Several existing workstreams and factors impinge on this area of work, and need to be brought together as we move forward to ensure best use of resources within ASC and across agencies. These include but are not limited to the arrangements relating to the Deprivation of Liberty Safeguards (DOLS), opportunities for shared arrangements across the sub-region (Warks, Coventry & Solihull), agreeing shared aims and pooling resources with NHS Warwickshire (particularly relating to commissioning, contract monitoring and quality assurance), and the transformation & personalisation agenda within Adult Social Care.

6. **Next steps**

- 6.1. Following submission to SDLT, this report will be presented to the Adult and Community Overview & Scrutiny Committee together with the 2008-9 WSAB Annual Report. The recommendation to O&S will be to agree a Select Committee to be formed to look at the Safeguarding Adults agenda, or for O&S to form a small Member subgroup to look at the issues in detail and report findings back to O&S.

Name- Edward Williams
Job Title- Adult Protection Coordinator, Local Commissioning, AHCS.
Date- 9th October 2009

References-

1. "Safeguarding Adults. Report on the consultation on the review of 'No Secrets'". DoH, July 2009
2. For further information on the role and structure of the Warwickshire Safeguarding Adults Board, see the Memorandum of Understanding and Terms of Reference document at:
www.warwickshire.gov.uk/safeguardingadults
3. "An analysis of self assessment surveys submitted by councils to CSCI in May 2008". (CSCI, October 2008).
4. "UK Study of Abuse and Neglect of Older People: Prevalence Survey Report". Prepared for Comic Relief and the Department of Health. (O'Keefe et al, 2007)
5. "Joint Investigation into the provision of services for people with learning disabilities at Cornwall Partnership NHS Trust". (CSCI/Healthcare Commission, 2006:pp.66-7)
6. "Safeguarding Vulnerable Adults. A Review of Adult Safeguarding in Warwickshire 2008/09" at
www.warwickshire.gov.uk/safeguardingadults

APPENDIX 1

Extracted Sections from “Safeguarding Adults: Report on the consultation on the review of ‘No Secrets’”. DoH, July 2009.

- 3.8 The vast majority of respondents thought that elected councils were best placed to take overall local responsibility for safeguarding adults, given their accountability for the well-being of local citizens in the local area. Seventy four per cent of respondents chose this option (Chart Q1b). Many supported ‘a local package’ having:
- a lead elected member;
 - the Director of Adult Social Services (or equivalent) as the lead officer with statutory responsibility for coordinating safeguarding;
 - links with the Local Strategic Partnerships, particularly Health and WellBeing and Community Safety; also the Crime and Disorder ReductionPartnerships;
 - all NHS organisations to have an executive lead and an operational lead;
 - joint adult social care and PCT involvement to ensure that safeguarding responsibilities are carried out in both commissioning and providing roles;
 - police forces also to have an executive lead and an operational lead.
- 3.9 As part of the local leadership role there was much support for strengthening Safeguarding Adults Boards by:
- making Safeguarding Adults Boards statutory;
 - ensuring participation by partners with decision making powers;
 - having an independent chair;
 - quality assuring ‘adult protection’ functions;
 - quality assuring risk management in self directed support (eg Direct Payments);
 - facilitate strategic and operational links to all adult risk prevention, management and response systems (MAPPA, MARAC, Community Safety, Environmental Services);
 - delegating responsibility to local NHS services where necessary, for an enhanced patient safety role;
 - delegating responsibility to police forces where necessary, for an enhanced public protection role.
- 3.14 There was a great deal of interest in ensuring that Safeguarding Adults Boards (SABs) were effective. There was widespread support for:
- (1) national standards/a performance framework for SABs;
 - (2) scrutiny by independent and multi-agency inspectorates;
 - (3) proper accountability to all the partners – and many thought that financial and accountability arrangements should mirror children’s boards;
 - (4) a requirement to have annual reports to be submitted through elected members to the CQC and/or the Local Area Agreement/Public Services Board.

APPENDIX 2

National comparison- No's of adult protection referrals 2008-9

