

Update on Safeguarding Adults in B&NES

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SA Legal & Policy Context

- Human Rights Act (1998)
- Mental Capacity Act (2005) (amended 2007 DoLS)
- Domestic Violence Crimes and Victims Act 2004
- Safeguarding Vulnerable Groups Act (2006) (ISA – Vetting and Barring Scheme)
- Equalities Act 2010
- No Secrets (DH 2000)
- National Framework of Standards for Good Practice and Outcomes in Adult Protection Work (ADASS 2005)
- Safeguarding Adults – Report on the Consultation of the Review of ‘No Secrets’ (DH July 09) – Govt response
- Preventing Violent Extremism (Prevent) Strategy (CLG 07)

New Landscape

- **Putting People First (DH Dec 09)**
- **Law Commission - Consultation Paper No. 192 into Adults Social Care (Feb 10) – Govt response (LC Sept 10)**
- **A Vision for Adult Social Care: Capable Communities and Active Citizens (DH Nov 10) (prevention)**
- **Equity and Excellence: Liberating the NHS (DH July 10)**
- **Awaiting No Secrets 2 – new definition (including prevent?)**

Government Messages: choice, risk and protection – challenge is:

- Safeguarding is everyone's business
- Safeguarding is central to personalisation
- Choice and control includes people being able to make informed choices about their safety – empowering service users to manage risks
- Proportionate measures
- Providers and commissioners are responsible for quality and safety of services

B&NES SA POLICY: Key Principles

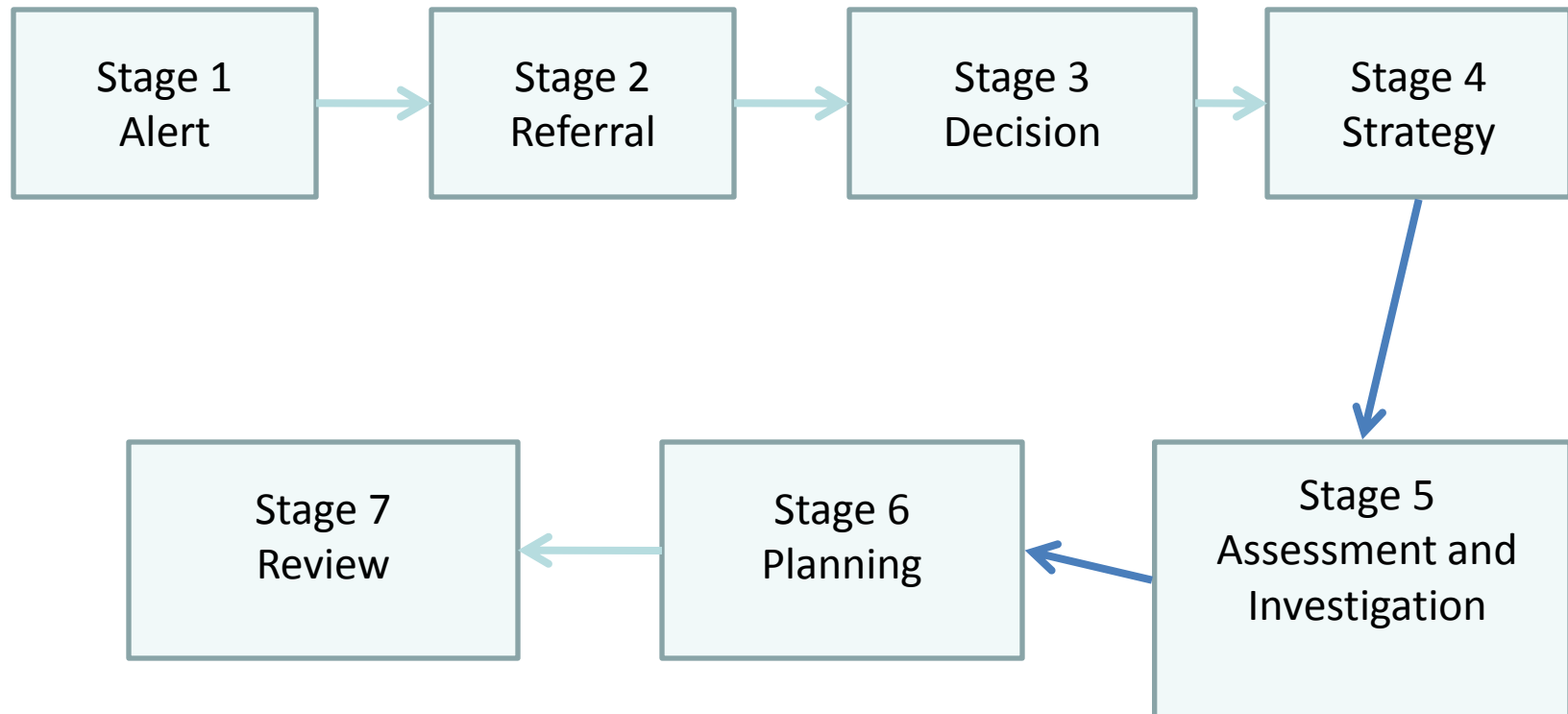
SAFEGUARDING IS EVERYBODY'S BUSINESS

- Safeguarding is the responsibility of everyone including statutory, independent and voluntary agencies as well as every citizen. We will work together to prevent and minimise abuse

DOING NOTHING IS NOT AN OPTION

- If we know or suspect that a vulnerable adult is being abused, we will do something about it and ensure our work is properly recorded

Safeguarding Procedure



B&NES SA Strategy and Action Plan 10/11

Theme 1: Governance, Leadership and Delivery Arrangements

- Revised Governance arrangements for the Board (Dec 10)
- Launched new SA policy and procedure (Apr 10)
- Embedded safeguarding in Personal Budget process
- Monitoring SA referrals
- Monitoring of MCA/DoLS

Theme 2: Awareness, Engagement and Communications

- Targeted articles
- Presentations at range of events
- Sub regional poster campaign
- Emailed information to 500+ local agencies
- Agreed LSAB logo



B&NES SA Strategy and Action Plan 10/11

Theme 3: Quality Assurance, Audit and Performance Management

- Monitoring referral routes
- Agreed indicators which provide measure of success
- Report bi monthly to Partnership Board for Health and Wellbeing
- Self assessment tool completed
- Case file audits

Theme 4: Training and Development

- Multi –agency SA Training Strategy
- Service user safeguarding training
- Joint workshop with Children Services

Specific to Mental Health

- **CQC concerns about low level of referrals 09/10**
- **Link with Mental Health Act 2007**
 - **Use of CPA rather than SA procedure – *need better understanding of link between safeguarding and mental health***

MCA and Safeguarding

- **Mental Capacity – the ability to make simple or complex decisions; capacity is decision and time specific**

- **Safeguarding and capacity – what's the link?**

- **Ability to protect self from harm**
- **Choice and control (ability to make decisions)**

Balanced with:

- **Duty of care – issue of self neglect**
- **Being termed ‘vulnerable’ does not mean lacking capacity**
- **If being safeguarded and lack capacity need to apply MCA**
- **Employ advocates - IMCA**

MCA / Deprivation of Liberty Safeguards

- **Currently applications made by Managing Authorities – care homes or hospitals**
- **Court System for Supported Living Providers**
- **Applications made to Supervisory Authorities – NHS Banes and LA**
- **DoLS process administered by LA/PCT**
- **Authorisation granted / declined by LA/PCT**

Information

- MCA & Specific DoLS Training
- Safeguarding Training

<http://www.bathnes.gov.uk/BathNES/healthandsocial/SafeguardingAdults>

<http://www.bathnes.gov.uk/healthandsocial/mentalcapacityact>

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