

By: Graham Gibbens, Cabinet Member for Adult Social Care
Anu Singh, Corporate Director of Adult Social Care and Health

To: Adult Social Care Cabinet Committee - 19 January 2018

Subject: **SAFEGUARDING ADULTS UPDATE**

Classification: Unrestricted

Previous Pathway of Paper: None

Future Pathway of Paper: None

Electoral Divisions: All

Summary: This report presents an update on Adult Safeguarding in Kent for the period April to September 2017.

Recommendations: The Adult Social Care Cabinet Committee is asked to **CONSIDER** the content of this report in addition to the statutory annual report, **COMMENT** on the activity provided in the update and **CONSIDER** and **SUPPORT** the proposal for the additional funding for safeguarding and Deprivation of Liberty Safeguards in 18/19.

1. Introduction

- 1.1 This report presents an update on Adult Safeguarding in Kent for the period April to September 2017. This is an interim report and the full information for 2017/18 will continue to be included in the Kent and Medway Safeguarding Adults Board Annual Report.
- 1.2 As an upper tier authority, Kent County Council has lead responsibility for safeguarding the welfare of vulnerable adults in Kent. This is ultimately the responsibility of the Corporate Director of Adult Social Care and Health, as the statutory Director of Adult Social Services (DASS), and the Cabinet Member for Adult Social Care. It is however the responsibility of the whole Council, both members and officers, to ensure that safeguarding remains its highest priority. The partnership work that is undertaken, under the oversight of the Kent and Medway Safeguarding Adults Board, is critical to achieving this and the Council continues to work closely with Kent Police, local NHS organisations, Kent Fire and Rescue and Medway Council, as well as non-statutory partners and health and social care providers.

2. Adult Safeguarding Activity

2.1 Following the implementation of the Care Act 2014, the following definitions have been in use in safeguarding:

- Concern – Suspected abuse or neglect that is reported to or identified by the Council
- Enquiry – Formal action taken by the Council in response to a concern.

2.1.1 Not all new concerns reported to the Council progress to an enquiry. Some concerns are already known about and are being addressed and some concerns the Central Referral Unit (CRU) or operational teams (if person is already open to Adult Social Care) assess as not being a safeguarding matter or as requiring no further action.

2.2 Highlights of activity during April to September 2017 are:

- The number of concerns reported continues to increase, with an average of 841 concerns/month compared to 816/month in the preceding six months. However the rate of increase seems to be levelling off
- The high rate of concerns received by the CRU may have levelled off, with 496 concerns/month compared to 569/month in the preceding six months
- In the latest reporting period, 35.3% of safeguarding concerns received by the CRU were already open to operational teams, 16.8% were assessed as not safeguarding or required no further action and 46.7% progressed to a safeguarding enquiry
- However, concerns raised by or received directly by the operational teams continue to increase with 345 concerns/month compared to 247/month in the preceding six months
- The proportion of all concerns which become new enquires has remained broadly stable at 56.3%, compared to 56.9% for the preceding six months
- The rate of new safeguarding enquiries started has risen slightly, with an average of 474 enquiries/month, compared to an average 464/month in the preceding six months
- Outcomes of concluded enquiries remain broadly similar, with *Confirmed* or *Partially Confirmed* being found in 39.2% of cases, compared to 40.1% previously.

2.3 In order to ensure the delivery of continuing improvement in safeguarding practice and management, and outcomes for people served by Adult Social Care and Health, the County Council’s draft budget shows the intention to invest a further £1.5m in 2018/19 towards meeting this objective. The Adult Social Care Cabinet Committee is asked to support this investment.

2.4 Overall Activity

Activity	Apr 2016 to Sep 2016	Oct 2016 to Mar 2017	Apr 2016 to Sep 2017
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Total Safeguarding Concerns received	4817	4897	5047
Of which concerns received by the CRU	3226	3413	2975
Safeguarding Enquiries	2978	2788	2843
Closed Enquiries	2173	2971	3272

2.5 Primary support need of person named in the concern

Primary Support Reason	Apr 2016 to Sep 2016	Oct 2016 to Mar 2017	Apr 2017 to Sep 2017
Older	2848	2874	2944
Learning Disability	446	450	459
Mental Health	530	556	627
Physical Disability	366	270	328
Substance Misuse	under 5	under 5	11
Other Vulnerable People	211	244	292
Not Recorded	414	500	386

2.6 Source of concerns

Source of Safeguarding Concern	Apr 2016 to Sep 2016	Oct 2016 to Mar 2017	Apr 2017 to Sep 2017
Social Care Staff (KCC and Independent)	36.3%	32.6%	34.6%
Health Staff	26.6%	28.4%	22.7%
Self-Referral	0.5%	0.5%	0.3%
Family member	2.4%	2.3%	1.7%
Friend/neighbour	0.6%	0.6%	0.3%
Other service user	0.0%	0.0%	0.0%
Care Quality Commission	4.3%	2.4%	2.9%
Housing	2.7%	3.5%	3.1%
Education/Training/Workplace Establishment	0.2%	0.4%	0.3%
Police	13.4%	17.9%	11.9%
Other	11.0%	9.0%	13.7%
Unknown	1.9%	2.4%	8.6%

2.7 The percentage of safeguarding concerns received from the Police and from Health has fluctuated more in the last six months than would previously have been expected. Work is being done with their representatives on the Kent and Medway Safeguarding Adults Board to identify the underlying reasons for this.

2.8 Location of alleged abuse, in cases where enquiries were undertaken

Location alleged abuse took place	Apr 2016 to Sep 2016	Oct 2016 to Mar 2017	Apr 2017 to Sep 2017
Own Home	38.8%	41%	42.7%
Care Home (Residential and Nursing)	36.4%	35%	33.3%
Alleged Perpetrators Home	16.5%	16.3%	14.7%
Mental Health Inpatient Setting	0.4%	0.7%	0.6%
Acute Hospital	8.3%	8.2%	9.3%
Community Hospital	10.9%	9.3%	8.4%
Other Health Setting	0.3%	0.5%	0.3%
Supported Accommodation	1%	0.7%	1.3%
Day Centre/Service	3%	3.2%	2.9%
Public Place	3%	5%	5.3%
Other	1.3%	0.7%	0.9%
Not Known	0.2%	0.3%	0.2%

2.8.1 These have remained broadly the same. The slight increase in cases in the person's own home and decrease in cases in care homes mirrors the general move to continue to support people in their own home for longer.

2.9 Type of alleged abuse, in cases where enquiries were undertaken

Type of Risk	Apr 2016 to Sep 2016	Oct 2016 to Mar 2017	Apr 2017 to Sep 2017
Discriminatory	0.8%	1.2%	1.2%
Domestic Abuse	3.6%	2.2%	2.8%
Emotional/Psychological	18.9%	18.7%	19.2%
Female Genital Mutilation	0%	0%	0%
Financial or Material	14.6%	15.4%	14.3%
Modern Slavery	0.1%	0.1%	0.3%
Neglect and Omission	27.5%	26.4%	24.8%
Organisational	2.9%	2%	2.1%
Physical	38.3%	36%	38.4%
Self-Neglect	8.1%	9.8%	9.5%
Sexual	6.4%	4.7%	5%
Sexual Exploitation	1%	0.8%	1%

3. Mental Capacity Act and Deprivation of Liberty Safeguards

3.1 In the six months from April to September 2017, the Kent Mental Capacity Act Deprivation of Liberty Safeguards (MCA DOLS) Service received 2,741 applications for a DOLS authorisation. The service continues to screen

promptly all applications received and approximately 35% of referrals are prioritised using the Association of Directors of Adult Social Services (ADASS) screening tool. The waiting time for assessment for a prioritised application has been reduced to between four to six weeks which compares very favourably with other authorities. This has been achieved through the increased use of independent Best Interest Assessors (BIAs) and additional work is being undertaken to streamline further the processes of re-authorisation.

- 3.2 However, as with very many other authorities, following the very substantial national increase in applications in 2015 after the Cheshire West judgement extended the scope of the DOLS, there continue to be a growing number of non-prioritised applications. As at end of September 2017 this stood at over 4450. Regular work is undertaken to check and re-screen these non-priority referrals in order to review what, if any, risk there is to the individual. On average, this has led to 45% of these cases subsequently being closed, 49% remaining in non-priority and around 5% being re-prioritised following contact.
- 3.3 Given the pressure the Cheshire West judgement has caused to all Local Authorities, the Law Commission was tasked to look at the Mental Capacity Act and the Deprivation of Liberty Safeguards. The Government is now consulting with a range of stakeholders on how the Law Commission's recommendations could be implemented. The Government's final response to the recommendations will not be published until some point in 2018 and any subsequent legislative change will be some time after that, probably not coming into effect until 2020 or later.
- 3.4 As referenced in KCC's Autumn Budget Statement on 19 October 2017, preliminary scoping work is now being undertaken to explore options to address the non-priority cases.

4. Internal Audit – Reviews of Safeguarding and of DOLS

- 4.1 During this period, Internal Audit has revisited their previous audits on the Adult Safeguarding Quality Assurance Framework and on the DOLS Service. As is required, these findings were reported to the Governance and Audit Committee at its meeting on 1 November 2017.
- 4.2 The assessment of the Safeguarding Framework has now been raised to "Substantial" with prospects for improvements now being assessed as "Good". The assessment for DOLS is now "Adequate" with prospects for improvement being assessed as "Adequate". Although most of the issues identified in the first DOLS audit have been addressed, the ongoing pressure described in 3.3 and 3.4 above continue to affect the service.

5. Recommendations

<p>5.1 Recommendation: The Adult Social Care Cabinet Committee is asked to CONSIDER the content of this report in addition to the statutory annual report, COMMENT on the activity provided in the update and CONSIDER and SUPPORT</p>
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the proposal for the additional funding for safeguarding and Deprivation of Liberty Safeguards in 18/19.

6. Background Documents

None

7. Lead Officers

Annie Ho
Acting Head of Adult Safeguarding
03000 415355
annie.ho@kent.gov.uk

Steph Smith
Head of Performance and Information Management
03000 415501
steph.smith@kent.gov.uk

Daniel Waller
Directorate Manager of Governance and Member Support,
03000 416808
daniel.waller@kent.gov.uk

Lead Director

Michael Thomas-Sam
Head of Strategy and Business Support
03000 417238
Michael.thomas-sam@kent.gov.uk