

**TITLE OF REPORT:** Adult Safeguarding and Adult Social Care Improvement Update

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## Summary

The first section of this report provides an update regarding Safeguarding Adults, Mental Capacity Act/ Deprivation of Liberty Safeguards (DoLS) and the Multi Agency Safeguarding Adults Hub (MASH). The final section provides members with a comprehensive update regarding improvements within Adult Social Care.

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## 1 Background

- 1.1 This is a regular update to provide members of the committee with an understanding of the developments and improvements undertaken within Gateshead in relation to Adult Social Care, with the aim of giving assurance regarding performance and identifying any emerging areas of concern.

## 2 Safeguarding Adults

- 2.1 **Care Act Implementation Plan.** A summary of the main implications of the Care Act for the Safeguarding Adults agenda was presented at the Safeguarding Adults Board in November 2014. At a subsequent meeting a detailed implementation plan was presented and endorsed in the January 2015 Safeguarding Adults Board meeting to ensure that the Board was compliant with the Care Act. Since April 2015 a range of fundamental changes have been undertaken to ensure compliance including:
- Establishment of a Quality and Assurance Sub-Group to lead on Safeguarding Adult Reviews and to monitor multi-agency role / duty to cooperate with the Board;
  - Amendments to the Memorandum of Understanding to reflect the Care Act changes
  - An approved work programme to ensure that the statutory Strategic Plan and Annual Report will be published in accordance with the Care Act guidance
- 2.3 In addition to support the delivery of the Safeguarding Adults Multi-Agency Policy and Procedures a series of Practice Guidance Notes have now been produced to support/assist with the delivery of key policy areas within the Act including:

- Practice Guidance Note 1: Safeguarding Adults Review
- Practice Guidance Note 2: Self Neglect
- Practice Guidance Note 3: Allegations made against employees and the role of the Designated Safeguarding Adults Manager (DASM)
- Practice Guidance Note 4: Financial Abuse

2.4 **Safeguarding and Housing Event.** The Housing and Safeguarding Event took place on Thursday 3<sup>rd</sup> September 2015. Imogen Parry a nationally respected consultant and researcher gave an overview on serious case reviews and the role of housing providers, however the event also included presentation in relation to the:

- Care Act;
- Safeguarding Adults Multi Agency Policies and Procedures; and
- Mental Capacity

2.5 The event was well attended by a number of different housing providers who also took part in a work shop, looking at barriers and solutions in relation to adult safeguarding. Subsequent to the event an improvement and development plan has been completed focusing on the areas raised at the event and how they can be improved. The action plan will be monitored by the Safeguarding Adults Board to ensure the actions are implemented. The event highlighted a self-assessment tool that can be used by housing providers to allow them to assess against the requirements in the Care Act, which will assist housing providers to identify where the gaps are in there service area.

### **3 Mental Capacity (MCA) and Deprivation of Liberty Safeguards (DoLS) National Developments**

3.1 The Law Commission has launched its consultation relating to the reform of the law involving mental capacity and deprivation of liberty. A comprehensive response will be drafted to the consultation document and will be produced in conjunction with key stakeholders and partner agencies. This response will be submitted for information at November's Safeguarding Adults Board meeting.

3.2 The Department of Health has produced information "Valuing every voice, respecting every right: One year on". This subsequent report builds on the original report and gives examples of work that has progressed since this time, including the introduction of the New Mental Capacity Forum, regional groups highlighting good practice examples how MCA implementation is progressing, including the introduction of an improvement tool for self-assessment. Gateshead was involved in the development of this tool kit which was originally based on the Peer Review of MCA/DoLS undertaken in Gateshead in 2013.

3.3 The number of DoLS applications received in Gateshead since April 2015 has continued to increase. The renewals of annual DoLS coupled with a wider awareness of this area of work has continued to place increasing demands on the Supervisory Body to ensure legal compliance in this area of work. This

figure continues to rise significantly and the comparative data for the respective periods serves to emphasise the increase:

- April and August 2013: 46 applications
- April and August 2014: 307 applications
- April and August 2015: 808 applications

3.4 Judicial DoLS applications continue to be dealt with at the Court of Protection, although there are changes to the process, there now needs to be a full application via a hearing which will have both a resource and a financial impact on the local authority. This process is also being reviewed within the law reform consultations, so in future may be different.

#### **4 Multi Agency Safeguarding Hub (MASH)**

4.1 In July 2014, the government published a review of the procedures in place to identify children and vulnerable adults at risk of abuse. From a national perspective, many areas have already established Multi Agency Safeguarding Hubs (MASH) to mitigate the risk of anyone slipping through the safeguarding net.

4.2 The overarching vision of the Multi-Agency Safeguarding Hub in Gateshead is to: “provide a single gateway for all safeguarding, domestic abuse and vulnerable victim referrals; to expedite the sharing of information in an efficient and consistent manner and to protect and safeguard the most vulnerable within the Borough”. The MASH provides a regular opportunity for partners to come together and discuss some of the most vulnerable residents in Gateshead with the purpose of ensuring appropriate, co-ordinated, proportionate and timely interventions. The MASH provides a platform for partners to devise appropriate referral pathways, mechanisms for sharing information and a shared understanding of partner roles and responsibilities.

4.3 The initial phase of the MASH commenced in November 2014 with the secondment of two police officers onto the Safer Communities team. This was enhanced in January 2015 with the commissioning of three support services – Victim Support, Oasis Aquila Housing and Northumbria Community Rehabilitation Company. The MASH will now be extended until March 2017, as a result of the successful Home Office Innovation Fund Bid, to include a greater focus on the identification and support offered to protect serial victims of domestic abuse. As part of this process additional organisations have been commissioned to enhance the range of services offered to vulnerable people including NTW, Barnardo’s and South Tyneside Foundation Trust.

#### **5 Adult Social Care Assessment**

5.1 **Personal Health Budgets.** As identified within the last report to Committee, the working group continues that is looking at developing a procedure with Clinical Commissioning Group (CCG) and North East Commissioning Support Unit (NECs) in relation to Personal Health Budgets and Continuing Health Care. An update was given to the Health and wellbeing board on 11<sup>th</sup>

September. Regular updates will be given to the board to ensure that we are implementing this national government directive, and making choice and control a reality for Gateshead residents who have complex care needs.

- 5.2 **Hospital Discharge.** As part of our partnership working with the Gateshead NHS Foundation we have our monthly discharge meetings where we discuss improvements to reduce the number of delays. There has been constant pressure on the hospital beds; however the staff have worked tremendously hard to support safe and timely discharge in working with the trust. At a recent meeting with trust colleagues we discussed the implementation of the Care Act in terms of people being classed as a delay. The Care Act states that a person cannot be a delay unless they have had a continuing health care consideration. As we do not have Continuing Health Care Multi-Disciplinary Team (CHCMDT) within the hospital and as we have worked with Gateshead NHS Foundation for several years in discharging people direct to a nursing home prior to a CHCMDT we have agreed that for those delayed awaiting nursing home the delay will be contributable to the Gateshead NHS Foundation.
- 5.3 **Judicial DoLS.** The Under 65s Disabilities and Mental Health service has made significant progress in addressing the backlog of judicial DoLS cases, initially focusing on independent supported living schemes. They have developed an efficient and robust process that has had to adapt and evolve due to ongoing changes in the legal process. Community Care recently reported that Gateshead Council was the second most compliant local authority nationally, having made significantly more Court of Protection applications than the vast majority of other councils. To date, out of the backlog of cases reviewed by the service, 32 applications have been made and total of 25 orders obtained.
- 5.4 The small percentage of orders in relation to cases reviewed demonstrates that the service have worked proactively with services users and their families/advocates. The service through supported decision making has gained informed consent from service users for their placements. This has minimised the need for costly interventions and Orders from the court. The service is now sharing their good practice and knowledge by providing bespoke training sessions to practitioners across Adult Social Care on the Court of Protection process to ensure that the authority is legally compliant for all new placements and care packages.
- 5.5 **Mental Health Act Assessments.** The Mental Health Act 1983 in conjunction with the Department of Health revised Code of Practice 2015 provides the statutory framework for Approved Mental Health Practitioners (AMHPs) carrying out assessments to detain those who meet the criteria into a hospital for assessment of their mental health. The revised code of practice has increased the burden on officers carrying out assessments. In addition to the above the service has also seen a 58.4% increase in Mental Health Act assessments in the first 6 months of this year in comparison to the same period last year.

- 5.6 **People with a learning disability who receive long term services being in paid employment performance update (ASCOF 1E).** The number of service users with a learning disability who are in employment, is 25, which is 4.8%. Until recently 28 people were in employment, however, one person no longer requires services due to being successful in gaining full time employment, a second person reached the age of 65 and for the third there was a change in primary client group status as such these three people cannot be included in the overall annual 8% target. This is an increase on the same time last year which was 3.5%- 19 people. There are a further sixteen people in employment who will be reviewed in October, increasing the percentage to 7.9%
- 5.7 The new 'Supported Internship' commenced on 1 August 2015. This is a partnership arrangement between GATES and Adult learning team with referrals from Transitions Team and Connexions. Supported Internships have, on average an outcome of 65% success into paid employment. Of the 10 interns 7 are in receipt of services from Transitions or Disabled Children's Team. The 3 interns not in receipt of services are eligible but as the internship is full time, they have not required additional services. We expect the impact of this programme to positively impact upon the employment target for the next financial year.

## **6. Recommendations**

- 6.1 The Committee is asked to comment on:
- (i) Whether the OSC is satisfied with progress to date?
  - (i) Whether the OSC is satisfied with impact on users of Safeguarding/MCA DoLS Adult Social Care services to date?