

<p>Overview &amp; Scrutiny Committee</p> <p>25 October 2017</p>	
<p><b>Report of:</b> Denise Radley, Corporate Director, Health, Adults and Community Services</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Safeguarding Adults Board Annual Report 2016/17</b></p>	

<b>Lead Member</b>	Cllr Denise Jones, Cabinet Member for Health and Adult Services
<b>Originating Officer(s)</b>	Pauline Swan, Interim Strategic and Governance Manager for Adult Safeguarding
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	No
<b>Community Plan Theme</b>	A Safe and Cohesive Community

### Reasons for urgency

This report is submitted for consideration as part of the adults safeguarding spotlight session.

### Executive Summary

The Safeguarding Adults Board (SAB) has a statutory duty under the Care Act 2014 to produce an annual report detailing what the SAB has done during the year to achieve its main objectives and implement its strategic plan. It should record what each member agency has done to implement the strategy as well as detailing the findings of any Safeguarding Adults Reviews and subsequent action.

The report has been prepared within the Children's Services and Health, Adults and Community Services Policy, Programmes and Community Insight Team alongside the preparation of the Local Safeguarding Children Board Report. This helps to ensure consistency in terms of approach, content, structure and quality.

### Recommendations:

The Overview and Scrutiny Committee is asked to:

Note and comment on the 2016/17 annual report for the local Safeguarding Adults Board.

## **1. REASONS FOR THE DECISIONS**

- 1.1 The local Safeguarding Adults Board (SAB) is required to publish an annual report on the effectiveness of adult safeguarding arrangements and promoting the awareness raising, safety and wellbeing of adults in Tower Hamlets who may be at risk of harm or abuse. The annual report will be available within the Council and across partner agencies and available in the public domain. The SAB annual report, which fulfils this responsibility, is appended to this briefing paper.

## **2. ALTERNATIVE OPTIONS**

- 2.1 There are no alternative options, as it is a statutory requirement for this report to be reported to the Mayor.

## **3. DETAILS OF REPORT**

- 3.1 The Safeguarding Adults Board (SAB) has a statutory duty under the Care Act 2014, to produce an annual report detailing what the SAB has done during the year to achieve its main objectives and implement its joint business and strategic plan. Additionally it should record what each member agency has done to implement the strategy as well as detailing any Safeguarding Adults' Reviews and subsequent action.
- 3.2 The report has been prepared within the Children's Services and Health, Adults and Community Services Policy, Programmes and Community Insight Team alongside the preparation of the Local Children's Safeguarding Board Report. This helps to ensure consistency in terms of approach, content, structure and quality.
- 3.3 The Annual Report gives an overview of the membership, governance and accountability arrangements for the SAB, together with the legal, national and local contexts in which it operates.
- 3.4 In accordance with the Care Act 2014, the SAB has a strategy regarding the safeguarding of adults with an associated business plan. The strategy and business plan are structured around the six key principles of safeguarding as defined by the Care Act 2014. These are: Empowerment, Prevention, Proportionality, Protection, Partnership and Accountability. The Annual Report provides an overview of the progress made in delivering the business plan in relation to each of these six key principles. In addition the report provides the Board's priorities for 2017/18.
- 3.5 The SAB has a legal duty to make arrangements for a Safeguarding Adults Review (SAR) in the event of a death of a vulnerable adult, where abuse or neglect has been a contributory factor. There are 4 current SARs at different stages of completion. One SAR was completed in Tower Hamlets in 2016/17 and the SAR report is published on the Council web page.

- 3.6 The annual report provides an overview of data relating to adult safeguarding enquiries in 2016/17 as well as activity relating to Deprivation of Liberty Safeguards under the terms of the Mental Capacity Act 2007.
- 3.7 This year's annual report is presented in a different format than previous years moving away from a text heavy document to being a more reader friendly with infographics with the public in mind. It is therefore intentional that the report will not include in-depth details of all the SAB's work, but sufficient enough information to provide a summary of some of the work of SAB, its member partners and the subgroups reporting into it.
- 3.8 Finally, the SAB Annual Report is accompanied by a summary "Infographic" which was very well received by the SAB last year and is in line with what is produced by LSCB.

#### **4. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 The Care Act 2014 requires the SAB to publish an annual report. This report sets out the achievements of the SAB, providing a summary of the outcomes set out under the six priorities of Safeguarding, Empowerment, Prevention, Proportionality, Protection, Partnership and Accountability.
- 4.2 The Funding of the SAB is received both in monetary terms and in kind. The SAB cost circa £129k in 2016/17, the Local Authority's contribution was primarily that of utilising existing resources in the form of staff time from the Business Support, Strategy & Governance, Corporate SAB and Director Service team. The Local Authority's contribution was met within existing service budgets.

#### **5. LEGAL COMMENTS**

- 5.1. The Council is required by section 1 of the Care Act 2014 to exercise its functions under Part 1 of the Act so as to promote the well-being of adults, which includes safeguarding adults who have care needs, who are at risk of abuse and neglect. Pursuant to section 42 of the Act, the Council has a positive obligation to enquire into actual and potential cases of abuse or neglect so as to enable decisions to be taken about what action should be taken in each adult's case.
- 5.2. The Care Act 2014 places the Council's duties in respect of safeguarding adults with care needs who are at risk of abuse or neglect on a statutory basis. The requirements in respect of establishing a Safeguarding Adults Board (SAB) are set out in Sections 43-45 and Schedule 2 of the 2014 Act. As with all of the Council's duties under the Act, the duty to promote wellbeing applies to the Council's safeguarding duties.
- 5.3. The Care and Support Statutory Guidance sets out further detail in respect of the requirement to publish the SAB strategic plan and annual reports, at paragraphs 14.155-14.161 of the Guidance. The SAB must comply with those requirements, unless they can demonstrate legally sound reasons for not doing so.

The Deprivation of Liberty Safeguards ('DoLS') is the procedure prescribed in the Mental Capacity Act 2005 when it is necessary to detain a resident or patient who lacks capacity to consent to their care, in order to keep them safe from harm. DoLS seek to ensure that a care home or hospital only deprives someone of their liberty in a safe and correct way, and only when it is deemed to be in the best interests of the person, where there is no other less restrictive way to look after them. In the majority of cases, the Council is able to authorise these DoLS, although in certain circumstances an order must be obtained from the Court of Protection.

## **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 The Safeguarding Adults' Board Annual Report details action taken to address the risk of abuse and neglect against a wide range of vulnerable people who are at risk of discrimination. This includes but is not limited to people with learning disabilities, people with physical disabilities, people with mental health problems and older adults.

## **7. BEST VALUE (BV) IMPLICATIONS**

None identified

## **8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

Not applicable

## **9. RISK MANAGEMENT IMPLICATIONS**

- 9.1 The production of the Safeguarding Adults' Board Annual Report ensures that the Council fulfils its statutory duty to do so under the terms of the Care Act 2014. With regard to the Council's identified risk around the safeguarding of vulnerable adults, the report also includes summary information on Safeguarding Adults' Reviews and the learning and sharing of best practice which takes place when a SAR is undertaken.

## **10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 10.1 The Annual Report includes a record of action by the local authority and its partners to tackle abuse and neglect which may include criminal acts against adults at risk living in Tower Hamlets.

## **11. SAFEGUARDING IMPLICATIONS**

- 11.1 The report details action taken by the local authority and all member agencies to tackle abuse and neglect. It includes the achievements of the Safeguarding Adults Board in 2016/17.
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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- n/a

### **Appendices**

- **Tower Hamlets Safeguarding Adults Annual Report 2016/17**

### **Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012**

- NONE

### **Officer contact details for documents:**

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