

Cabinet	 TOWER HAMLETS
3 November 2015	
Report of: Tower Hamlets Safeguarding Adults Board	Classification: Unrestricted
Safeguarding Adults Board Annual report 2014-15	

Lead Member	Councillor Amy Whitelock-Gibbs, Cabinet Member for Health and Adults Services
Originating Officer(s)	Anthony Walters, Policy, Programmes and Community insight manager (interim)
Wards affected	All
Key Decision?	No
Community Plan Theme	A safe and cohesive community

Executive Summary

This report and its appendix set out the annual report of Tower Hamlets Safeguarding Adults Board, which is a statutory requirement under the Care Act 2014. It sets out the Board's view of the quality and effectiveness of safeguarding in Tower Hamlets, progress it has made in the last year, and its priorities for the years ahead.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Note the report from the Safeguarding Adults Board

1. REASONS FOR THE DECISIONS

1.1 The Safeguarding Adults Board (SAB) became a statutory function with the implementation of the Care Act on 1 April 2015. One of its new statutory responsibilities is to complete an annual report, which must be reported to the Chief Executive and leader of the local authority. 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 SAB annual report sets out the context for safeguarding adults in Tower Hamlets, gives an overview of the progress of partner agencies against board objectives, and an assessment of the quality of safeguarding activity in the local area.

3.2 The report highlights a number of issues and challenges for the SAB going forward:

- The need to raise awareness of adult safeguarding amongst the public and professionals working with vulnerable adults.
- Continuing challenges in relation to growing demand.
- The need to improve the quality and effectiveness of safeguarding processes.
- The implementation of a more personalised approach to safeguarding, 'making safeguarding personal.'
- Addressing the continuing high demand for deprivation of liberty safeguard (DoLS) authorisations.

3.3 The SAB is also required under the Care Act to have a strategic plan setting out its priorities and how these will be implemented. This strategic plan will be completed during the Autumn to cover period up to March 2019. The Strategic Plan will pick up the issues identified in the Annual Report and how these will be addressed. Annual reports will in future years evaluate progress against this strategic plan

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no direct financial implications as a result of the recommendations in this report.
- 4.2 It is noted that the feasibility of a pooled fund with contributions from partner agencies to support the work of the board will be investigated in 2015/16, the current costs are met from the directorates revenue budget.

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 released in October 2014 sets out further detail in respect of the requirement to publish the SAB strategic plan and annual reports, at paragraphs 14.123-14.132 of the Guidance. The SAB must comply with those requirements, unless they can demonstrate legally sound reasons for not doing so.
- 5.4. 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.
- 5.5. The Supreme Court in the case of *P v Cheshire West and Chester Council and another and P and Q v Surrey County Council* [2014] defined 'deprivation of liberty' as when a 'person is under continuous supervision and control and is not free to leave, and the person lacks capacity to consent to these arrangements'. This has included a large number of individuals who had not previously been thought to be deprived of their liberty, resulting in a surge of DoLS authorisation requests to the Council.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The report sets out safeguarding issues for vulnerable adults in Tower Hamlets, and how the SAB Partners intend to address them. This is an important aspect of ensuring that all of our community are able to achieve a good level of wellbeing.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 There are no BV implications.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no implications.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The report sets out how partners intend to ensure that vulnerable adults are effectively safeguarded. This has important implications for protecting individuals from risk of harm, and for protecting all partners including the Council from the risk of failure to safeguard vulnerable adults.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 Safeguarding has an important interface with crime and disorder. Effective safeguarding practice means that vulnerable adults will be kept safe from harm caused by crime, for example abuse. The report sets out how the work of the SAB links with that of the Community Safety Partnership.

11. SAFEGUARDING IMPLICATIONS

- 11.1 This report sets out a number of implications for safeguarding and how partners intend to address them.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Tower Hamlets Safeguarding Adults Board annual report 2014-15.

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

- NONE.

Officer contact details for documents:
N/A