

Safeguarding



How do you know
your council is being
effective in keeping
people safe?

Top tips

Key messages

- Ensure that you understand your statutory and community leader responsibility for adult safeguarding.
- Develop a good relationship with the chairs of the safeguarding adults and children's safeguarding boards.
- Take a leadership role in ensuring that all the bodies responsible for adult safeguarding work effectively with each other.
- Ensure that you, your fellow councillors and all council staff who come into contact understand local arrangements for raising issues of concern about neglect and abuse; and that there are clear pathways of reporting and responding to harm.
- Ensure that people who need safeguarding services are fully involved in and in control of safeguarding processes.
- Raise awareness of safeguarding issues with members of the public in your area.
- Ensure that training is made available to both staff and councillors on safeguarding policies, procedures and practice.
- Ensure that safeguarding arrangements are in place for young people transitioning from children's to adults' services.
- Ensure that there are specific arrangements in place to act in the best interests of people who 'lack capacity' under the Mental Capacity Act 2005.

Why you need to know

Adult safeguarding means protecting people's right to live in safety, free from abuse and neglect. It applies to adults with care and support needs who may not be able to protect themselves. Action to safeguard adults should include:

- promoting well-being and prevent abuse and neglect from happening in the first place
- ensuring the safety and wellbeing of anyone who has been subject to abuse or neglect
- taking action against those responsible for abuse or neglect taking place
- learning lessons and making changes that could prevent similar abuse or neglect happening to other people.

Providing local leadership

In their role as having responsibility for the political leadership, accountability and direction of the council's services for adults, the portfolio holder has a role in ensuring that the various departments within a council work together to promote wellbeing, prevent social exclusion and to protect vulnerable adults from abuse.

Safeguarding is now seen as a crucial aspect of local authority work, linking to many local agendas including, amongst others, care

quality, mental capacity, community safety and cohesion, domestic abuse and support for carers. Each local area will need effective leadership to develop its own means of addressing the activities and services that they feel interface with safeguarding.

Councillors will need to know what questions to ask to hold to account those responsible for adult safeguarding, and to ensure that everyone is following agreed multi-agency procedures, and that appropriate links are made between agencies so that people at risk and needing help are not missed.

There are also crucial roles for councillors in examining how safeguarding is experienced by local people, how people were consulted and involved in developing policies and monitoring services, and how they were involved in their own safeguarding plans and procedures.

Improving partnerships

The Care Act sets out local responsibilities and roles for protecting adults with care and support needs from abuse or neglect for the first time in primary legislation. It states that the local authority is the organisation with overall responsibility for safeguarding locally.

In addition, each area will be expected to ensure that their safeguarding adults board has a core membership of the local authority, the NHS and the police. The board will be required to publish a local safeguarding plan and annual reports on progress against that plan, to ensure that member agencies' activities are effectively coordinated.

These local partners work alongside the responsibility of providers and the Care Quality Commission for the quality of provision. Local leaders can play a key role in reinforcing the need for collective responsibility for safeguarding. Councillors can help build the system leadership to ensure that every local partner is clear what their responsibilities are and is able to communicate what the local safeguarding system is to local people.

It is for each safeguarding partnerships to make an agreement about how decisions are made as to what should be appropriately considered a safeguarding issue and addressed through a safeguarding investigation, and what should be more appropriately dealt with through other routes including complaints, employment law, contract monitoring and compliance, regulation and quality improvement processes. All of these routes, used effectively, will safeguard people.

Informing policy and practice

The Care Act also reflects the shift in adult safeguarding policy and practice to ensuring local partners work together to prevent harm and promote dignity, empowerment and choice.

Personalisation and safeguarding can be made to work hand in hand. Involvement of the people concerned in adult safeguarding is enshrined in safeguarding policy and statutory guidance. People should be asked what outcomes they want from safeguarding and whether those outcomes are being achieved.

Councillors can have a key role in ensuring a focus on outcomes and a proportionate approach to risk, rather than just the process of safeguarding.

This 'Making Safeguarding Personal' approach involves also asking people's views on whether risk has reduced without compromising the other things that are important to them.

Adults without mental capacity have legal safeguards under the Mental Capacity Act (2005) and must have the representation of an advocate or representative to act in their best interests.

The LGA and partners have produced a series of resources to inform local policy and practice which may inform local leadership of this crucial area of adult social care. More information is below.

Questions to consider

- What are you doing to ensure close, coordinated and effective joint working between all those organisations in your area with safeguarding responsibilities. Do you understand your role in relation to each?
- Is there a multiagency safeguarding plan for your area and monitoring of its implementation as part of your overall performance management?
- Is there effective scrutiny of safeguarding or quality issues in your area and what can you do to support it? What has changed as a result?
- How is your safeguarding adults board demonstrating its effectiveness (eg in its annual report)?
- Is local people's welfare being secured by good commissioning, contracts management and, for some, by care management or other forms of review?
- Are staff supported to share information so they can spot potentially serious issues and be to respond to it proactively?
- How do you demonstrate that people's lives are improved as a result of safeguarding approaches? Are they safer, do they feel safer and are their circumstances improved?
- What are you and your council and health and wellbeing board doing to publicise issues of safeguarding in your community and to ensure that there is widespread knowledge of how to recognise and report abuse?
- Does your contract specification for local Healthwatch explicitly include a remit on safeguarding issues? Do you specify appropriate training on safeguarding and how to report concerns for Healthwatch representatives? What can you do to support such training?
- Are you and your authority ensuring that people understand and use the Mental Capacity, Mental Health and Human Rights Acts and their functions to safeguard people's rights?
- How do you ensure that the potentially vulnerable members of all groups in the community are equally safeguarded, including all those who share any of the 'protected characteristics' covered by the Equality Act 2010?
- Does your workforce strategy explicitly include safe and effective arrangements to recruit and manage staff as part of ensuring safe and effective services?

- Are you and your council to sharing learning as practice continues to develop? Are there learning and development programmes for your staff, perhaps joint with other local partners?
- Have you considered submitting your council for a LGA safeguarding adults peer challenge to help you benchmark against good practice and to ensure your council is responding to the changing agenda on adults safeguarding?

Additional resources

All of the following (and much more) are available on the LGA website and on the Adult Safeguarding group on the Knowledge Hub:

Councillors' briefing: safeguarding adults 2015
www.local.gov.uk/web/guest/adult-social-care/-/journal_content/56/10180/3510589/ARTICLE

Care and support reform implementation – resources for adult safeguarding as part of Care Act implementation (LGA 2015)
www.local.gov.uk/care-support-reform/-/journal_content/56/10180/6523063/ARTICLE

Making Safeguarding Personal (LGA 2015)
www.local.gov.uk/web/guest/adult-social-care/-/journal_content/56/10180/6074789/ARTICLE

Adult Safeguarding Improvement Tool (LGA & others 2015)
www.local.gov.uk/documents/10180/6869714/Adult+safeguarding+improvement+tool.pdf/dd2f25ff-8532-41c1-85ed-b0bcbb2c9cfa

Adult Safeguarding and Domestic abuse (ADASS & LGA 2015)
www.local.gov.uk/c/document_library/get_file?uuid=5928377b-8eb3-4518-84ac-61ea6e19a026&groupId=10180

Resources for Safeguarding Adults Boards (LGA 2014)
www.local.gov.uk/web/guest/adult-social-care/-/journal_content/56/10180/5650175/ARTICLE

Roles and Responsibilities in adult safeguarding (ADASS & LGA 2014)
www.local.gov.uk/web/guest/adult-social-care/-/journal_content/56/10180/6167659/ARTICLE

Safeguarding Adults: Learning from Peer Challenges (LGA 2014)
www.local.gov.uk/web/guest/adult-social-care/-/journal_content/56/10180/4036117/ARTICLE

Commissioning for better outcomes – a route map (ADASS, DH, LGA, TLAP 2014)
www.local.gov.uk/documents/10180/5756320/Commissioning+for+Better+Outcomes+A+route+map/8f18c36f-805c-4d5e-b1f5-d3755394cfab

Think Local Act Personal resources on risk and safeguarding
www.thinklocalactpersonal.org.uk/Browse/safeguarding/

Related 'Must Knows'

- How do you know that you understand the needs of your area and what service users want?
- How do you know you are making progress in the personalisation of adult social care?
- How do you know you are doing all you can to involve and engage service users and carers?
- How do you know that you are implementing care and support reforms effectively?



Local Government Association

Local Government House
Smith Square
London SW1P 3HZ

Telephone 020 7664 3000

Fax 020 7664 3030

Email info@local.gov.uk

www.local.gov.uk

© Local Government Association, April 2015

For a copy in Braille, larger print or audio,
please contact us on 020 7664 3000.
We consider requests on an individual basis.