ENCLOSURE 3
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Birmingham Women's NHS
NHS Foundation Trust

SUBJECT :	Safeguarding vulnerable adults
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CONTEXT AND BACKGROUND FOR REPORT

To update and provide assurance to the Clinical Governance Committee and Board of Directors on the continued developments for safeguarding vulnerable adults conforming with national strategy.

KEY ISSUES FOR THE BOARD OF DIRECTORS' CONSIDERATION AND DECISION

- Safeguarding of vulnerable adults is a Trust wide concern.
- Progress within the field of safeguarding vulnerable adults has been delayed due to the lack of clinical hours available. With the new appointment of the role of a Specialist Nurse/ Midwife this should improve.
- Consider the impact on the service of the increase in the number of referrals form the police of reported domestic abuse.
- Confirmation that the process of updating CRB checks is being undertaken

RECOMMENDATIONS

- The Clinical Governance Committee and Board of Directors are assured of progress and have opportunity to raise questions regarding any aspect of the protection of vulnerable adults.
- Agree the need for the development of an action plan to progress additional service requirements.
- Evidence of retrospective CRB checks is available should this be required for the purpose of external audit.

1.0 Introduction:

This is the second annual report relating to the safeguarding of vulnerable adults. The aim of the report is to provide the Clinical Governance Committee and the Board of Directors with an overview of the current position within the organisation in relation to adult protection, now referred to as 'Safeguarding Adults'.
Work in the area of safeguarding adults is a relatively new area in the United Kingdom. The 'No Secrets' national strategy was launched in 2001 to set a framework for the expectations on all organisations to work towards preventing abuse of vulnerable adults. No secrets: guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse : Department of Health - Publications
Identification, responding to situations of harm and supporting vulnerable adults is the responsibility of all professionals.

2.0 Background:

Who is a vulnerable adult?

A vulnerable adult is a person aged over 18 years who may be unable to take care of themselves, or protect themselves from harm or from being exploited. This may be because they have a mental health problem, a disability (physical or learning), a sensory impairment, are old and frail, or have some form of illness.

Areas of abuse are:

- Physical abuse
- Sexual abuse
- Psychological abuse
- Financial abuse
- Neglect / acts of omission
- Discriminatory abuse
- Abuse in individual rights
- Forced marriage
- Institutional abuse

Abuse can happen anywhere – in a nursing home, a hospital, in the workplace, at a day centre or educational establishment, in supported housing or in the street.
The perpetrator of the abuse is often well known to the person and could be:

- A paid carer or volunteer
- A health worker, social care or other worker
- A relative, friend or neighbour
- Another resident or service user

- An occasional visitor or someone who is providing a service
- Someone who deliberately exploits vulnerable adults

3.0 Birmingham Safeguarding Adults Board (BSAB):

The Local Authority established a Birmingham Safeguarding Adults Board, launched in October 2007 and reflects the structure that is already in place for Safeguarding Children. Their role is to facilitate and deliver agency protection arrangements. Birmingham City Council has the lead role for the safeguarding of vulnerable adults.
Partnerships between health and social care are essential for the delivery of effective services. In matters relating to children a duty of partnership working is enshrined in law on Local Authorities, Health and other statutory agencies.
An equivalent legal duty does not exist for adults. In September 2007 partner agencies in Birmingham were asked to sign up to Memorandum of Understanding.

At an organisational level, partner agencies are asked to ensure there is:

- A clear and shared understanding of its purpose and the expected outcomes for safeguarding the vulnerable people of Birmingham
- Deliver national and locally agreed priorities and secure expected outcomes
- Understand arrangements for accountability and responsibility for operation and safeguarding outcomes
- Assess and manage risk in relation to agreed business plans and stated objectives and outcomes
- Monitor delivery and performance against agreed plans, priorities and best practice standards
- Are empowered to carry out the remit of Safeguarding Vulnerable Adults
- Have a basis for evaluation of progress and performance
- Provide a basis for evaluation and scrutiny

Unlike the Safeguarding Children Board, the Trust has no formal links with BASB but is linked through South Birmingham PCT.
This is an area that requires further exploration.

4.0 Mental Capacity Act (MCA):

The Mental Capacity Act 2005 Mental Capacity Act 2005 (c. 9) provides a statutory framework to empower and protect vulnerable people who are not able to make their own decisions. It makes it clear who can make decisions and in what situations these decisions may be made.
Guidance on the Act is provided in the form of a code of practice. http://www.publicguardian.gov.uk/docs/code-of-practice-041007.pdf
This empowering and important piece of legislation puts good practice and safeguards in place for people who cannot make decisions.

Lead Clinician Mental Capacity Act – Peter Thompson, Medical Director.

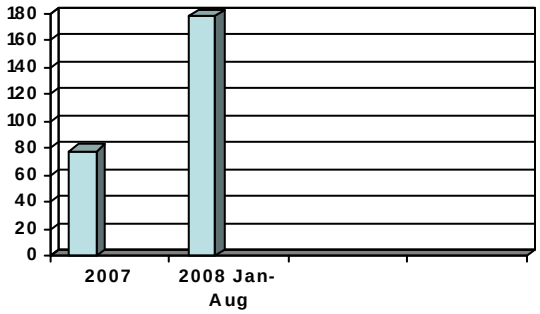
There has been 1 case reported to the team that has required an action plan regarding mental capacity.

5.0 Referrals:

Referrals to the safeguarding team concerning vulnerable adults have been exclusively through maternity services.

5.1 Domestic abuse referrals

Number of referrals relating to pregnant women received from the police



5.2 Mental health

Month	2007	2008
Jan	N/A	31
Feb	N/A	28
Mar	N/A	26
Apr	N/A	27
May	N/A	40
Jun	N/A	23
Jul	N/A	29
Aug	23	26
Sept	25	
Oct	31	
Nov	15	
Dec	18	

Number of women transferred from BWH into mental health beds

2007	2008 (1/2 year)
3	2

There has been 1 reported maternal death related to mental health

5.3 Learning disabilities

2007	2008 (1/2 year)

16	12

6.0 Training and education:

There is no programme of training currently in place that is specific to safeguarding adults. Some issues such as domestic abuse, mental health, substance misuse have been covered by the safeguarding team and within the safeguarding children training strategy.

Further development is needed with an emphasis on:

- Identification of abuse
- Understanding how abuse can happen
- Being alert to the indicators of potentially abusive situations
- Awareness of the procedures for reporting concerns

Mental Capacity Act training provided by mental health services was held off-site and made available for staff to attend and targeted managers across the organisation.
Bevan Brttan specialist mental health team provide training in MCA for health professionals. The cost implications for this needs to be explored.

7.0 Safe Recruitment:

Human Resources recruitment department have implemented a robust system to ensure that all newly appointed staff working directly with children and vulnerable adults have an enhanced Criminal Records Bureau (CRB) check. The same applies to staff that change job roles within the Trust.
A programme of retrospective CRB checks for existing staff needs to be progressed, reflecting national guidance and ensuring Bichard compliance. http://police.homeoffice.gov.uk/publications/operational-policing/bichard-inquiry-report?view=Binary
Currently checks should be refreshed every 3 years.
A new scheme is due to be introduced in the autumn of 2008. The consultation period is underway and will have implications for the Trust in that potential employees have a right of appeal if their appointment is declined as a result of those checks.

8.0 Policies and procedures:

The current arrangements for multi-agency working in respect of Safeguarding Adults are based on No Secrets (DOH & Home Office 2000). This statutory guidance includes the development and implementation of multi-agency policies and procedures for safeguarding vulnerable adults from abuse and neglect. The Trust has adopted BASB policies and procedures Safeguarding Policies and Procedures
There has been no further development on the introduction of a local policy. This will be incorporated into an action plan for Safeguarding Vulnerable Adults.

9.0 Progress:

Safeguarding vulnerable adults is, like the national picture, a new area of development within the organisation.
Since the previous report a Trust lead for safeguarding vulnerable adults has been appointed:

Elaine Giles, Lead Nurse/ Midwife for Safeguarding Children and Vulnerable Adults

The increased capacity of the work involved in the safeguarding of children and young people has meant that there have been little resources to progress practice relating to the safeguarding of adults, except where those adults fell into the remit of safeguarding children because they were parents or parents-to- be.
This was recognised by the Trust following a business case for additional support to facilitate the work relating to safeguarding adults.
A full-time Band 7 post was developed and **Eleanor Newbold, Specialist Nurse/ Midwife for Safeguarding Children and Vulnerable Adults** commenced in post on 1st September 2008.
When Eleanor has completed a period of induction, including additional training in safeguarding vulnerable adults, it is anticipated that she will progress an action plan in service provision for vulnerable adults.
Additional clerical support was also identified and agreed. Deborah Dearn, secretary to Elaine Giles and Paul Wilson, Social Worker has increase her hours to 0.8 WTE.

10.0 Risk issues:

- Poor identification and reporting of abuse has led to a national picture of underreporting and lack of resources in this area, leaving vulnerable people at increased risk.
- Delay in the identification of suspected abuse and reporting can hamper investigation both for social care services and the police. It can, where the adult is an in-patient, delay hospital discharge if appropriate steps to protect the individuals' safety have not been instigated.
- Confirmation that retrospective CRB checks are being undertaken on existing Trust staff.

10.0 Recommendations:

- Develop an action plan for Safeguarding Vulnerable Adults to include
    - Preventative strategy, incorporating CRB checks.
    - A mandatory training package
    - Links to BASB and partner agencies
    - Policy and procedures

- Awareness raising
- Dedicated specialist role for domestic abuse