

REPORT OF: STRATEGIC DIRECTOR

TO: SCRUTINY MANGEMENT TEAM

DATES: 26th January 2016

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Safeguarding Adults Policy

PURPOSE OF REPORT

To comment on the updated corporate Policy for Pendle Council (attached).

RECOMMENDATIONS

That Scrutiny Management Team agrees:

- (1) To comment on the Safeguarding Adults Policy;
- (2) That the updated Policy is agreed by Executive and Full Council;

REASONS FOR RECOMMENDATION

To support staff and Elected Members in protecting the welfare of adults in Pendle;

To comply with our statutory duties to safeguard adults (Care Act 2014).

Background

An initial draft Safeguarding Adults Policy was presented to Management Team on 4th November 2015. It was agreed that the Policy should:

- Be contextualised for Pendle Council (see Policy Statement at the start of the Policy);
- Include the flowchart of action at the front of the policy (see page 3);
- Be presented to and discussed with Elected Members;
- Consider the awareness and training options available for safeguarding adults.

The Care Act 2014 (<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>) received Royal Assent and became law on the 14th May 2014. This Act creates a single law for adult care and support, replacing more than a dozen different pieces of legislation.

The Act introduces new duties and requirements of local authorities in a number of areas, including Safeguarding Adults. It provides, for the first time, a legislative framework for those working in Adult Safeguarding.

The Safeguarding duties apply to an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs); and
- Is experiencing, or at risk of, Abuse or Neglect; and
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of Abuse or Neglect.

The adult experiencing, or at risk of abuse or neglect, will hereafter be referred to as the Adult, replacing any previous terms such as Adult at Risk or Vulnerable Adult.

The safeguarding duties have a legal effect in relation to organisations other than the local authority on for example the NHS and the Police.

Definitions and Aims

Safeguarding means protecting an adult's right to live in safety, free from abuse and neglect.

The aims of adult safeguarding are to:

- Stop abuse or neglect wherever possible;
- Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- Safeguard adults in a way that supports them in making choices and having control about how they want to live;
- Promote an approach that concentrates on improving life for the adults concerned;
- Raise public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect;
- Provide information and support in accessible ways to help people understand the different types of abuse, how to stay safe and what to do to raise a concern about the safety or well-being of an adult; and
- Address what has caused the abuse or neglect.

Types of Abuse

Following the Care Act 2014, 'Safeguarding Adults' is now the generic term used to protect adults from a wide range of abuse, including:

- Physical Abuse

- Domestic Violence and Abuse
- Sexual Abuse
- Psychological Abuse
- Financial or Material Abuse
- Modern Slavery/ Human Trafficking
- Discriminatory Abuse
- Organisational Abuse (previously known as Institutional Abuse)
- Neglect and Acts of Omission
- Self-Neglect
- Honour Based Violence
- Female Genital Mutilation (FGM)
- Forced Marriage
- Safeguarding Adults from Sexual Exploitation
- Hate and Hate Crime
- Exploitation by Radicalisers who Promote Violence
- Internet Abuse: Adults Exposed to Abuse through the Digital Media

Our Policy and Procedure

Pendle Council's Safeguarding Adults Policy is presented here for comment. It is taken from the Pan-Lancashire and Cumbria Policy, although it is a much more concise version, including the flowchart for action (as with the Family Support and Safeguarding Children Policy).

It is envisaged that, like the Children's Policy, it will be a joint policy between Pendle Council, Liberata and Pendle Leisure Trust. The final version will be subject to additions from the Leisure Trust, taken from their existing policy.

Elected Members have been involved in the development of this policy.

A discussion with the Elected Members with the Health and Wellbeing portfolio and the Disability and Mental Health portfolios has taken place, to help shape the policy. And prior to the Full Council meeting in December 2015, Councillors received a presentation on Safeguarding Adults and the proposed policy.

Appendix 1 has been added to include the Reporting Domestic Abuse Procedure in relation to section 3.2 (taken from the Family Support and Safeguarding Children Policy).

Learning and Development

The Lancashire Safeguarding Adults Board has an e-learning package called Safeguarding Adults – Level 1. The details of this are below:

https://lancashire.melearning.university/course_centre/course_details/13

This package will be used as a basis to develop an awareness-raising tool for all staff.

IMPLICATIONS

Policy: This Safeguarding Adults Policy follows that of the Adults Safeguarding Boards for Pan-Lancashire and Cumbria and so captures the key policy requirements.

Financial: Staff time for recording and potential training in safeguarding issues when they arise is regarded as part of existing relevant job roles.

Legal: Pendle Council has a statutory duty to safeguard adults (Care Act 2014).

Risk Management: The risks of not having a process to deal with adult safeguarding issues are high for the adults concerned, as well as for Pendle Council's reputation.

Health and Safety: None arising directly from the report.

Climate Change: None arising directly from the report.

Community Safety: Safeguarding links directly to the work of the Community Safety Partnership in protecting our communities.

Equality and Diversity: Safeguarding could be a particular issue in more deprived Pendle wards where other geographical inequalities exist.

APPENDICES

Adult Safeguarding Policy

LIST OF BACKGROUND PAPERS

Lancashire Safeguarding Adults Board:

http://www3.lancashire.gov.uk/corporate/web/?Safeguarding_adults_website/13624