

Bath & North East Somerset Council		
MEETING/ DECISION MAKER:	Health and Wellbeing Select Committee	
MEETING/ DECISION DATE:	22 March 2017	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	Safeguarding and Quality Assurance Arrangements	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
None		

1 THE ISSUE

- 1.1 This report sets out the safeguarding assurance arrangements the Local Authority has in place. It aims to provide assurance to the Health and Wellbeing Select Committee that children and adults with care and support needs are effectively safeguarded.

2 RECOMMENDATION

- 2.1 The Select Committee is asked to note the arrangements and to recommend any additional mechanisms which would provide further assurance.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 None

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Local Authority has a statutory duty to safeguard adults with care and support needs under the Care Act 2014 and associated Care and Support Statutory Guidance (September 2016).
- 4.2 It also has a statutory duty to safeguard children under the Children Act 1989 and associated guidance Working Together to Safeguard Children 2015 (amended 2016).
- 4.3 The Local Authority has a statutory duty to establish and ensure the effective working of a Local Children Safeguarding Board (LSCB) and a Local Safeguarding Adult Board (LSAB).

- 4.4 The LSCB and LSAB present their Annual Reports and updated Business Plans to the relevant scrutiny panel and to the Health and Wellbeing Board and Responsible Authorities Group. These reports also provide assurance about activity and the effectiveness of multi-agency working.

5 THE REPORT

5.1 Introduction

- 5.2 The Local Authority, through the LSCB and LSAB, raise awareness within the community and with commissioned services that safeguarding children and adults with care and support needs is everyone's business. The Boards have recently agreed to join their efforts via a shared Communication sub group to ensure messages are shared with, and received by, the widest audience.
- 5.3 The Local Authority's Children Services has the responsibility to respond to a concern of abuse and neglect about a child. Often citizens contact Avon and Somerset Police when there is a concern and the Police will take appropriate action and inform Children Services to enable a coordinated approach to be taken. Where there is a risk of significant harm to a child(ren) section 47 of the Children Act 1989 is invoked and Child Protection Procedures are followed. Children Services social work staff undertake the section 47 investigation and partners contribute to an Initial Child Protection Conference and subsequent Review Child Protection Conferences as required. The Conferences are chaired by a Child Protection Chair who sits within a different team to the social work staff to ensure independence and scrutiny.
- 5.4 From 1st April 2017 Virgin Care will be responsible for managing safeguarding concerns regarding adults with care and support needs; however, AWP will continue to manage concerns relating to individuals with mental ill health in the same way they do currently. AWP and Virgin Care will assess the presenting concern, gather further information about it and speak to the person where possible. They then contact the Local Authority Safeguarding and Quality Assurance team to discuss whether the threshold for a section 42 enquiry has been reached (Care Act 2014). If the threshold for an enquiry is reached the Multi-Agency Safeguarding Adults Procedures are followed. The Local Authority team are responsible for chairing the Safeguarding Adult meetings and AWP and Virgin Care will administer and coordinate the cases.

5.5 Assurance Mechanisms for Local Authority Teams

5.5.1 Children Services and Child Protection Chairs

- Supervision of case work and caseloads – this takes place on a monthly (occasionally six weekly for part time Child Protection Chairs) basis.
- Management oversight – this largely takes place as part of supervision but is also provided in other case meetings. Team Managers are required to ensure management oversight is evidenced on children(s) assessments and case records.

- Escalations and challenges – informal and formal escalation arrangements are in place between teams. Child Protection Chairs have a key role as they contribute to the improvements in practice of social workers and help identify service developments.
- Internal audit arrangements – there is a well-developed audit arrangement in place; staff are given individual feedback and themes are identified and shared with the staff teams.
- Bespoke audits – these take place through-out the year and look at practice areas, recent ones have included: categorisation of emotional abuse cases; threshold decisions and children who have been on a plan for long periods of time.
- Routine and bespoke performance and activity reports – these are reported quarterly and scrutinised in a number of forums including (Service Performance Group, Service Level Agreement Meetings and at Multi-agency meetings (see below).
- Quarterly Service Level Agreement meetings between Children's Commissioners and Children Services where the performance of the teams and quality of delivery is considered and scrutinised.
- The existing Quality Assurance Framework (QAF) is being revised and a new framework is hoped to be implemented in April 2017.
- Observations – the Strategic Director; the Director for Children Services and the Head of Safeguarding and Quality Assurance observe a number of meetings. This arrangement needs to be formalised and this will be set out in the revised QAF.
- Learning and responding to complaints – we regularly review the complaints received, outcomes and recommended actions to try and ensure these are not repeated.
- Ofsted will undertake the Single Inspection Framework before the end of the calendar year and take a view on how safe children are in B&NES. This view is primarily about the ability of the Local Authority and the LSCB to safeguard children (though there is some reference to partners). The inspection outcome will highlight strengths and weaknesses in our safeguarding practice and arrangements.

5.5.2 B&NES Schools

- Ofsted have the regulatory responsibility for schools. Schools which have remained under the Local Authorities governance, however, have an annual section 175 self assessment safeguarding audit completed together with bespoke audits on safeguarding, undertaken by the Internal Audit Team.

5.5.3 Adults - Safeguarding Adults and Quality Assurance Team

- Supervision of case work and caseloads on a monthly basis.

- Internal audit arrangement – a 15% case file audit is undertaken annually.
- Repeat referral audit – undertaken annually to ensure the initial plans were as effective as they should have been.
- Bespoke audits – these take place through-out the year and focus on areas of practice which might cause concern. Recent audit of referral information and threshold decisions undertaken.
- Routine and bespoke performance and activity reports – these are reported monthly to BaNES NHS Clinical Commissioning Group (CCG) via the integrated dashboard.
- Internal audit 2014 – gave a very positive report on the internal mechanisms of control regarding safeguarding work. The team will be audited again in a years' time.
- Peer review – this is a one off review undertaken in 2014 as part of the South West Association of Directors of Adult Social Services improvement arrangements. The review stated that there were robust performance management arrangements in place for safeguarding adults.
- Learning and responding to complaints – as with complaints to Children Services these are reviewed and actions monitored to try and ensure they are not repeated.

5.6 Assurance Mechanisms in Place for Commissioned Services

- A Safeguarding Toolkit was developed last year for People and Communities Commissioners. The toolkit sets out the minimum information which MUST be included in service specifications and followed up in contract and performance management meetings with commissioned services. A safeguarding checklist is in place and is a prequalifying requirement as part of tenders.
- All agencies providing support to children who are commissioned by the Council have to complete a quarterly safeguarding return and an annual safeguarding self assessment which is considered as part of the contract and performance review meetings with Commissioner. There are a number of exceptions, such as independent fostering agencies and children's homes, which also have a regulatory body who oversees the quality and safety of their service delivery and for these the Council require an annual return only.
- Safeguarding is embedded in all services that are within the scope of Your Care Your Way. The overarching contract with Virgin Care has a specific safeguarding schedule which includes health and social care safeguarding requirements. This schedule sets out the minimum reporting expectations and is applied to all the services Virgin Care will deliver from April 2017 and is available if required. There is also a specific specification about Statutory Adult Social Care functions and this includes details about safeguarding. This is in addition to the schedule. For agencies which are part of the dynamic purchasing system the safeguarding schedule will also apply. This provides the Local Authority, BaNES NHS CCG, LSCB and LSAB

assurance that safeguarding responsibilities are clearly and consistently articulated for all agencies commissioned under Your Care Your Way. In terms of monitoring how well services are performing there are a number of systems already agreed such as: monthly performance meetings in respect of the Statutory Adult Social Care specification; quarterly meetings in respect of the Community Paediatricians and Looked After Children Health Service (the statutory health functions Virgin will deliver on behalf of the CCG). In addition to this the initial proposal is that safeguarding, complaints and information governance are all included within an overarching high level contract and quality meeting; this proposal may, however, change.

- For adult services, which the Local Authority commission, that are outside the scope of Your Care Your Way, such as Care Homes, safeguarding information is included as part of the contract reviews. Safeguarding indicators are collected as for other contracts. Care Homes are also regulated by the Care Quality Commission so an additional check is placed on them to ensure the welfare and safety of service users.
- Local Authority commissioners, safeguarding and complaints officers meet with the Care Quality Commission and CCG colleagues on a bi-monthly basis to discuss concerns about regulated services in B&NES. The intelligence sharing helps contribute to the overall picture of the quality of service provision and how safe services are.
- The Local Authority Designated Officer (LADO) employed by the Local Authority provides a further assurance mechanism. All agencies are required to report to the LADO where there is a concern about the conduct/behaviour of a person (employed or volunteer) in a position of trust for children. The requirement extends beyond this in some circumstances to the conduct of a family member of a person in a position of trust. Once a report has been received, the LADO works through the Managing Allegations Protocol to ensure appropriate investigation and action is taken. The LADO provides an annual account of investigations overseen, this contributes to the overall intelligence of how safe services are and risks presented to children and potentially adults with care and support needs. This information is also considered at contract review meetings.

5.7 Reporting Arrangements

- Children's safeguarding information is scrutinised in the department a number of times during each quarter as references in 5.6 above.
- Adult safeguarding information is reported on a monthly basis as part of the integrated performance report to the BaNES CCG Board.
- Both children and adult safeguarding information is reported quarterly (as required) to the Chief Executive.
- The LSCB and LSAB Annual Reports and business plan shared with scrutiny panels and Health and Wellbeing Board. Within the Annual Reports all partner agencies complete an account of how they are performing with the Board indicators and what their agencies are doing to ensure the safeguarding of children and or adults.

5.8 Assurance Mechanisms for the LSCB and LSAB

- In addition to the assurances People and Communities Department put in place for internal and commissioned services, the LSCB and LSAB also have Multi-Agency Quality Assurance Frameworks, these are both in the process of being revised for 2017/18. The mechanisms in place for the Boards are as follows:
 - Assurance on the dissemination and implementation of policies and procedures – this takes place through mystery shopping, audits and confirmation that policies and procedures have been disseminated.
 - Assurance through quantitative and qualitative activity and performance information – this takes place through scrutinising performance reports and self-assessment returns (adult self assessment; children's section 11 self assessment and schools section 175 self assessment) as well as through service user feedback reports and national returns. In general case activity reports are considered by both Avon and Somerset Police and the Council.
 - Single and multi-agency quality audits – there are three children's multi-agency audit groups each focussing on different areas and one adults group. Routine and bespoke audits also take place at the request of the Board for assurance purposes on a particular area - such as the 15% case file audit and repeat referral audit carried out by AWP, Council and Sirona currently. All the audits help the Board to assure itself of safeguarding arrangements.
 - The Serious Case Review (Children's) and Safeguarding Adult Review groups also provide an assurance function for the Boards. As well as considering applications for review the groups also look at reviews carried out in other areas and consider whether the problems identified and the lessons learned could be applied to B&NES.
 - Multi-agency Safeguarding Hub – the Hub provides the Boards with further assurance that children and adults at risk are not being missed. It does this by gathering information from a number of agencies about cases the Local Authority and Sirona care and health have a concern about but on the information first received are not confident the threshold for safeguarding intervention has been reached. By taking an enhanced look through gathering information from more sources a more effective decision can be made as to how to proceed and whether safeguarding is in fact required.
 - Consideration of partners' inspection and peer review reports.
 - Agreement and monitoring of safeguarding indicators. Each Board has a set of agreed indicators which include things such as: training in particular areas; safer recruitment practice; meeting procedural timescales. Each Board partner is required to meet the indicator targets and performance is reported in the Annual Reports.

5.9 Conclusion

5.10 This paper seeks to assure the Select Committee of the range and breadth of safeguarding assurance mechanisms there are in place. Whilst the Local Authority can never be confident that all children and adults are safe from harm, it continues, with partners, to make every effort to intervene in a timely way to prevent and reduce the risks. The Local Authority cannot, however, do this without the support and diligence of the community and partner agencies as it can only act on information it is provided with. The report started with the need to raise awareness and ends with the same emphasis, safeguarding is everybody's business, with everyone alert to this we have the best chance to keep children and adults with care and support needs safe.

6 RATIONALE

6.5 To provide details of the mechanisms that are in place to provide assurance to the Select Committee that the Local Authority is discharging its duty.

7 OTHER OPTIONS CONSIDERED

7.5 None

8 CONSULTATION

8.5 None required for this paper however the LSCB and LSAB member agencies are aware of the mechanisms.

9 RISK MANAGEMENT

9.5 The potential impact to children and adults with care and support needs when safeguarding isn't effective is high it is included on the Council Corporate Risk Register and Banes NHS CCG risk register.

9.6 The LSCB and the LSAB also have risk registers which assess the impact of poor functioning of the Boards.

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Background papers	None
Please contact the report author if you need to access this report in an alternative format	