



**Wednesday 20<sup>th</sup> June 2018**  
**10:00 – 13:00**

Venue: The Study, Hindlip Hall

Derek Benson  
 Independent Chair Safeguarding Adults Board

## MINUTES

**1 Welcome and apologies for absence**

### STANDING ITEMS

**Changes to the Mental Health Act**

DP gave a brief overview of the report

It was noted,

- Requirement to consult a Mental Health Practitioner 'if practicable' in order to discuss the right pathway. This has only been utilised in about 30% of cases – consultation is taking place with partners – hoping to increase consultations. Officers can still exercise powers if Mental Health Practitioner suggest otherwise.

SWilk – in the cases where someone was detained but there was no consultation, is there any evidence that the outcome would have been different if consultation had taken place? DP responded that there is currently insufficient data available to identify the number of cases where consultation took place but the individual was not detained.

SWill – noted that professional discretion would be used operationally. Unlikely to ever be 100%. Operationally, officers would prefer not to detain people under Sec 136

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- If person has particular needs (disability etc) – reduced 24 hrs max timescale might be more difficult to achieve & could lead to breaches of this timescale (only been 1 instance of this so far)
  - Prohibition of the use of police cells as a place of safety for under 18 year olds - systems are in place to deal with this
  - Extension of powers to 'any place other than a private residence' not just a public place as the act previously stated

Cases where sec136 powers were used have dropped in Worcesterstershire (in last 12 months.)

It was noted that Sec136 powers are occasionally used towards the end of detention in custody – SWill noted that advice should always have been given to custody sergeants to inform decisions about prisoners in custody in order to inform the use of Sec 136 powers

	<p>NW noted – occasionally rough sleepers are detained in order to safeguard them &amp; make decisions for their care. There is awareness that this is often a complex situation.</p> <p>DP noted it is often difficult to ascertain what the best course of action should be.</p> <p>AW – noted that CK (Worcestershire County Council transforming care programme) is developing a complex cases pathway for people with disabilities. Might be good to link in with her – community based facilities that are secure – could be of use in rare cases where the current environment isn't suitable.</p> <p>Chair noted that in terms of safeguarding these are useful proactive changes to support partnership in action.</p> <p>MN – noted that the Mental Health Act is currently under review &amp; at some future point there may be revisions required.</p>
<p><b>3</b></p>	<p><b>Minutes and action log</b></p> <p>03 WSAB minutes 29.3.18 minutes accepted as accurate ACTION RWa In future - include glossary to expand acronyms &amp; put initials of attendees next to their name</p> <p>03a WSAB action log Chair &amp; RWa getting letter to Care Quality Commission (CQC) sent off asap ACTION Chair/RWa SWill to send RWa update on County Lines to distribute to Board members ACTION SWILL</p>
<p><b>4</b></p>	<p><b>Chair's Report - verbal</b></p> <ul style="list-style-type: none"> <li>• Joint meeting with Children's Board, Health &amp; Wellbeing Board (H&amp;WBB) – nothing material to report. As the Children's safeguarding process is disassembled &amp; reassembled, other places in the country are considering closer working between Children's &amp; Adults Boards eg. Joint Board meetings (it was noted this is not a route map of where we're going)</li> <li>• West Midlands Regional Children's Chairs meeting - some places are combining SCR&lt; SAR&lt; DHR, Waltham Forest have a model - One Panel</li> <li>• National Safeguarding Adults Board meeting – noted a presentation from a lawyer regarding law reform – suggesting a change in the law around coercive &amp; controlling behaviours where it does not apply to a 'domestic abuse' situation, for example 'proximity' abuse. It was noted that changes to legislation would be required.</li> </ul> <p>It was noted the UK Mental Capacity Act has been used by Singapore to inform their law. It was noted that current 'protection' given by the Care Act is sometimes not sufficient to support prosecution –there is a gap around the abuse of vulnerable older people. SWill suggested a simple change (to 'coercive &amp; controlling behaviour' legislation) that would allow the CPS to proceed with a prosecution would be helpful.</p> <p>RK noted that cultural differences can influence the CPS's decisions to prosecute (Asian families where it is generally acceptable for the male to be in control of money/finances)</p> <p>National Safeguarding Adults Board meeting – included discussion around a case in Bristol where the local Safeguarding Adults Board (SAB) are being prosecuted in relation to a SAR. This has prompted the Chair to consider the liabilities of this Board. Chair has emailed the National Chair to request permission to circulate the Bristol report and recently met him in Hampshire. A response is awaited. Chair will discuss with Secretariat outside of this meeting &amp; consult WCC legal dept.</p>
<p><b>5</b></p>	<p><b>WSAB Manager's Report</b></p>

	<p>New administrator appointed – starting 3/7/18  Permanent Board Coordinator role in process of being recruited to (advert closes 25/6/18)  General Data Protection Regulation (GDPR) project plan in place – awaiting feedback from WCC in relation to information sharing protocol &amp; privacy notices in particular. AW to raise with Association of Directors of Adult Social Services (ADASS)</p> <p>BB noted independent review by Worcester City Council (WCC) on CB. The Board received correspondence from a concerned party indicating that there may be some additional evidence which could be submitted to WSAB – nothing has been received as yet.  NW noted that this information has already been submitted to the independent review &amp; has been considered.</p> <p>MN noted that the Board has planned to contact Virtual Network members with regard to GDPR. BB noted that this is in progress.</p>
<p>6</p>	<p><b>Sub Group Quarterly Update</b>  Subgroup Chairs</p> <p>06 Subgroup Chairs Quarterly Reports April 2018 v2</p> <p><u>Case Review – EF</u>  A new referral has recently been received  The Chair queried who had responsibility for the LeDeR process and it was noted that the CCGs are responsible.  MN asked why the review process is focused on people with disabilities.  AW noted that there are inadequacies in health provision for disabled people – the purpose of the LeDeR process is to help drive out inequality.</p> <p><u>Policy subgroup – SH</u>  point of information only – 'Policy Development v1' document was approved by Chairs subgroup 23/5/18 on behalf of the Board  Missing adults process being reconsidered – to get policy updated asap ready for upload to website. Policies moving forwards well</p> <p><u>LD&amp;P - SJF</u>  Work ongoing  It was noted that the Consultation Draft NHSE Intercollegiate Competency Framework document has been issued – amendments will be required.</p> <p>Chair noted that this is an opportunity to discuss opportunities for Adults &amp; Children's Boards to work together – align processes for efficiency.  It was noted that members of Adults Boards would look to ensure that the Children's agenda did not take over.</p> <p>06a Performance Management report  Covered by RK in Subgroup presentation to follow</p>
<p>7</p>	<p><b>Annual Sub-group Update Presentation</b>  P&amp;QA</p> <p>Well represented but would benefit from private (nursing home) &amp; voluntary sector reps – RK happy to speak with anyone that is interested in joining.</p> <p>MH will speak with RK</p>

RWh noted that it is encouraging that referrals are dropping – it shows that education has improved & people are using other, more appropriate avenues for referrals (for cases where previously they would have been unsure & automatically referred as a S42)

BB Where S42 applies – nos. have remained consistent so hopefully shows that the quality of referrals is accurate

SH – alternatives are being explored, for example via the substance misuse unit, before referrals are made. Definite improvement in professionals' understanding.

PK notes that there is a lot of data available to the Board that isn't meaningful unless something is done with it first, the aim is to start to analyse the data more comprehensively – assistance from an analyst would be helpful.

AW – happy to discuss the analytical gap with RK. AW questioned whether the Board receive Adult Services quality data? BB noted the Board receive the adult collection data but not the quality data.

RWh questioned whether quality data should be shared with the Board. LL suggested it is more appropriate for partners to provide information on how they are managing their statutory responsibilities to ensure quality checks are in place.

EF noted that the Case Review data could be analysed in more detail.

RL – has noted RK comments re; data.

SWilk noted that perhaps the Worcestershire Office of Data Analytics (WODA) would be interested in getting involved with some analysis. EF noted that WODA has been asked to help with SAR data

MH noted that WODA currently has 3 pieces of ongoing work.

SH asked what the position is on new Comms subgroup - still in infancy. Work is ongoing to finalise membership.

## **BREAK**

Reconvene at 11.40

## **Budget Update**

RWa/Chair

08 WSAB Budget Summary Report

08a WSAB Budget P13 17-18 for June Board

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Chair summarised current position – underspend £101k

Chair summarised proposals going forwards

- RWh previously suggested returning some of the money to partners
- Close monitoring
- 19/20 possibly ask for reduced contributions from partners

SWilk noted that bearing in mind future projected costs the underspend year on year could be around £16k.

It was noted that Invoices to partners for their contributions have not yet been raised for 18/19.

RWh reiterated his previous view around returning some of the money to partners but noted that this money could be well used to support the work of the Board – he noted his support of the idea to ask Subgroup Chairs to bid for how to use the money.

BB noted that it would be appropriate for the reference group/s to bid for some of the money SH supported this.

LL – suggested using a template – there is a similar one in use by Children's Board.  
 BB is happy to prepare a template ACTION BB completed  
 SWill supported this idea – proposal to deliver against gaps

AW noted the lack of capacity to extract from the data - if we were getting the data analytics & the learning from SARs that should inform the strategic direction of the Board. We should agree if we can resource the analytics.  
 1<sup>st</sup> call on the money should be for data analysis – get a picture of what we know at the moment  
 2<sup>nd</sup> call – learning review of SARs, regional/local what do we need to do  
 That should give us a better view of the strategic priorities going forward.

The Chair summarised;

- Subgroup and reference group Chair/s can bid for some of the money
- Invoice for partner contributions at their current level for 18/19 & monitor for 19/20
- Scope AW's suggestion for data analysis

SWilk – if members are happy – agreed better to maintain current level of funding contributions  
 AW noted - happy to maintain contribution for 18/19 – looking for savings moving forwards into 19/20

EF noted a workshop called 'balancing the risk' that is available.

**9 Risk Register/Business Objectives**  
 To be updated

**TEA BREAK 11:25 – 11:40**

**ASSURANCE ITEMS**

**10 NW – Housing Strategic Partnership (Worcester City Council)**

10 Changes to the Housing Act and their potential implications to Safeguarding – Homelessness Reduction Act (HRA)  
 10a PPT Presentation on the HRA

Statutory duty sits with District & Borough teams – legislation amended by the HRA  
 Duty to refer begins in October – range of statutory agencies will be required to report

Housing stock in Worcester City Council (WCC) area has been transferred to private housing associations. In these cases WCC have some control over housing nominations.

The issue of prioritisation was raised - how does this work? There is a Statutory responsibility to operate a housing register & there is an allocation policy – criteria around affordability/ circumstances (priority/ gold etc.) which informs how quickly housing is allocated.

	<p>The 'duty to cooperate' has not been included in the new legislation. There are no powers to make housing associations provide housing.</p> <p>EF – what happens with intentionally homeless people? (for example, unpaid rent) The new act, in particular the prevention part, should help to reduce this. If the service user doesn't cooperate then the support can be withdrawn &amp; a notice issued.</p> <p>There are lots of opportunities for service users to appeal if they do not agree with decisions made during the process.</p> <p>Other LAs don't have to advise WCC if they place people in Temporary Accommodation (TA) in its area. This is taking up the capacity of local TA.</p> <p>AW noted that Social Care may not become aware (via notifications) of people having moved areas, as they would previously have done. NW noted that notifications are still being made under 'relief' provision.</p> <p>RK asked about the duty to report – does that apply to the Police. NW noted they have just started using Jigsaw – a national alert system – which could ultimately be used by other organisations. NW to copy to Board for information. ACTION NW</p> <p>Safeguarding – lobbying going on currently to include 'rough sleepers' as a specific category. However, the complexity of the cases that qualify for assistance may mean that no suitable pathway is available for them.</p> <p>H&amp;WBB - Housing to be included in discussions</p> <p>12:30 SWill left the meeting</p> <p>AW – Would it be possible for the Board endorse the national memoranda? NW to circulate to the Board (principles of collaborative working) &amp; to be revisited at September Board. ACTION NW</p>
11	<p><b>Assurance Framework – verbal update</b></p> <p>Other areas' assurance frameworks – BB sent these to P&amp;QA sub-group for discussion. They reviewed these and would like to look at developing Solihull's approach to showing progress on meeting the standards of the annual self-assurance. This operates on a RAG rating and partners are asked to not only assess their current ability to meet care act requirements, but also identify any areas for improvement. These improvement plans are then reviewed on an annual basis and the score re-evaluated.</p> <p>To some extent this was started last year when the annual self-assurance focused on the three priority areas (standards). This year we have gone back to track the progress of the improvement plans.</p> <p>BB to forward details of Solihull's template to Board members for consideration. ACTION BB</p>
12	<p><b>Self-Assurance Audit – brief verbal progress update</b></p> <p>(Solihull example could be used in future)</p> <p>Day services was proposed for a deep dig – BB has met with the Commissioner who oversees contracts with Day Centres. A further meeting will now take place with the lead from Access, Triage and Intervention Service (ATIS) who will have an overview of the centres where people with personal budgets are referred to.</p>

13	<p><b>Annual Report</b></p> <p>13 Draft 2 WSAB Annual Report 2017-18</p> <p>Board members were asked for their comments by 30/6 which will be followed by virtual sign off.</p>
14	<p><b>WMP County Lines Profile</b></p> <p>RK</p> <p>Covered in earlier presentation</p>
<p><b>BUSINESS ITEMS</b></p>	
<p><b>DISCUSSION ITEMS</b></p>	
15	<p><b>Reporting of Safeguarding Issues</b></p> <p>It was agreed that a task &amp; finish group would scope the issue – any volunteers to let BB know if they are interested in taking part. It was noted that there are already some interested parties. Action BB to follow up</p>
16	<p><b>Any Other Business and urgent items</b></p> <ul style="list-style-type: none"> <li>• Association of Directors of Adult Social Services (ADASS) Care &amp; Justice and Safeguarding Networks survey of LSAB engagement with prisons Chair &amp; RWa to discuss ACTION RWa/Chair</li> <li>• Herefordshire SAB – ADASS MSP – SHi to send to BB ACTION SHi</li> <li>• Fire Service – hoarding guidance. Learning, Development &amp; Practice subgroup to do some work on this &amp; hope to feedback at December Board. ACTION LD&amp;P subgroup</li> <li>• Results of Worcestershire Acute Hospitals NHS Trust (WAHT) CQC inspection to be reported at next Board. ACTION DN</li> </ul>
17	<p><b>Upcoming dates for WSAB</b></p> <p>17 WSAB Upcoming dates June 2018</p> <p>Update to include additional future dates &amp; recirculate – including Board meeting dates, strategy day &amp; dates for subgroup chairs to present at Board meetings ACTION RWa</p>
<p><b>Date of next meeting:</b>  <b>Thursday 20<sup>th</sup> September 2018, The Willison Room – Hindlip Hall</b>  <b>10:00am – 1:00pm</b></p>	

	<b>ACTION</b>	<b>ALLOCATED TO</b>	<b>TARGET DATE</b>	<b>RAG</b>
1	In Board minutes - include glossary to expand acronyms & put initials of attendees next to attendees' names.	RWa	Board minutes 20.6.18 onwards	completed
2	Send letter to Care Quality Commission (CQC)	Chair/RWa	asap	completed
3	Send RWa an update on County Lines to distribute to Board members with minutes	SWill	asap	
4	Prepare a template & distribute to subgroup and reference group Chair/s to use for their bid for funding for projects (using Children's Board example as a basis)	BB	2/7/18	completed
5	Provide details about 'jigsaw' alert system in use by WCC for distribution to Board members	NW	14/8/18	
6	Distribute 'jigsaw' information to Board members for information	RWa	21/8/18	
7	Provide information about Housing Reduction Act (HRA) 'national memoranda' for distribution to Board members	NW	14/8/18	Completed
8	Distribute Housing Reduction Act (HRA) 'national memorandum' information to Board members	RWa	14/8/18	With minutes
9	Revisit HRA 'national memoranda' at September Board	NW	September Board	
10	Circulate Solihull SAB's assurance framework to Board members for consideration	BB	14/8/18	
11	Discuss Association of Directors of Adult Social Services (ADASS) Care & Justice and Safeguarding Networks survey of LSAB engagement with prisons	Chair/RWa	27/7/18	completed
12	Send Herefordshire SAB – ADASS MSP to BB	SHi	14/8/18	
13	Consider 'hoarding guidance' from the Fire Service.	LD&P subgroup	December Board	
14	Update agenda item 17 to include additional future dates & recirculate to members – including Board meeting dates, strategy day & dates for subgroup chairs to present at Board meetings	RWa	With 20.6.18 Board minutes	With minutes
15	Results of Worcestershire Acute Hospitals NHS Trust (WAHT) CQC inspection to be reported at next Board.	DN	September Board	
16	Raise the issue of GDPR compliance for SABs at next ADASS meeting	AW	September Board	
17	Speak with RK about analytical support from WCC	AW	14/8/18	completed
18	Collate responses to request for task & finish group members to scope issues raised in agenda item 15 'Reporting of Safeguarding Issues'	BB	14/8/18	

## **GLOSSARY**

WSAB	Worcestershire Safeguarding Adults Board
SAB	Safeguarding Adults Board
LSCB	Local Safeguarding Children's Board
ADASS	Association of Directors of Social Services
WHCT	Worcestershire Health & Care NHS Trust
WAHT	Worcestershire Acute Hospitals NHS Trust
NHSE	National Health Service England
CQC	Care Quality Commission
NICE	National Institute for Clinical Excellence
WCC	Worcestershire County Council
WODA	Worcestershire Office of Data Analytics
LA	Local Authority
ATIS	Access, Triage & Intervention Service
CCG	Clinical Commissioning Group
WMP	West Mercia Police
CPS	Crown Prosecution Service
ICO	Information Commissioner's Office
GDPR	General Data Protection Regulation
SAR	Safeguarding Adults Review
LeDeR	Learning from Deaths Review
PMF	Performance Management Framework
MSP	Making Safeguarding Personal
MCA	Mental Capacity Act
DoLS	Deprivation of Liberty Safeguards
P&QA	Performance & Quality Assurance
LD&P	Learning Development & Practice
HRA	Homelessness Reduction Act
MHA	Mental Health Act