

Report to:	Overview and Scrutiny Committee (Adult Social Care and Health)	Date of Meeting:	22 February 2022
Subject:	Care Homes and Safeguarding		
Report of:	Executive Director of Adult Social Care and Health	Wards Affected:	(All Wards);
Portfolio:	Adult Social Care		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To provide Overview and Scrutiny assurance that there are policies and procedures in place to address safeguarding concerns in care homes in Sefton.

Recommendation:

That the report be noted and comments received.

Reasons for the Recommendation(s):

To address any safeguarding concerns.

Alternative Options Considered and Rejected: (including any Risk Implications)

None

What will it cost and how will it be financed?

(A) Revenue Costs

Not applicable

(B) Capital Costs

Not applicable

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets): Not applicable

Legal Implications: The Care Act (2014)	
Equality Implications: There are no equality implications.	
Climate Emergency Implications: The recommendations within this report will	
Have a positive impact	No
Have a neutral impact	Yes
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes
There are no direct climate emergency implications arising from this report.	

Contribution to the Council’s Core Purpose:

Protect the most vulnerable: Any safeguarding concerns relating to people who live in care homes are addressed completely.
Facilitate confident and resilient communities: As above
Commission, broker and provide core services: As above
Place – leadership and influencer: As above
Drivers of change and reform: As above
Facilitate sustainable economic prosperity: Not applicable
Greater income for social investment: Not applicable
Cleaner Greener: Not applicable

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.6712/22) and the Chief Legal and Democratic Officer (LD.4912/22) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Not applicable

Implementation Date for the Decision

Immediately following the Committee meeting.

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Appendices:

The following appendix is attached to the report:

- Management of Organisational Safeguarding Concerns in Sefton

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 This report introduces the policy for Adult Social Care in relation to safeguarding people who live in care homes. The policy was developed to address the complexity of identification and management of adult safeguarding concerns relating to a whole service or organisational practices such as in a residential or nursing care setting.
- 1.2 The policy is appended to this report and is reviewed annually. The Sefton Safeguarding Board has oversight of this policy.
- 1.3 Safeguarding Vulnerable people is the statutory responsibility of the local authority and comes under the Care Act 2014.
- 1.4 Safeguarding adults means protecting a person right to live in safety, free from abuse and neglect.

2. Care Homes and Safeguarding

- 2.1 There are 131 care homes in Sefton and in the region of 3,100 people living in care homes. These will be a mixture of Council funded, health funded, private and other Local Authority funded placements. Safeguarding concerns raised and subsequent enquiries regarding care homes outweigh other types of referrals as a consequence.

The Care Act requires that local authorities must:

- Make enquiries if it believes an adult is experiencing neglect or abuse
- An enquiry will determine whether action must be taken
- And by whom
- Set up a Safeguarding Adults Board
- Arrange independent advocacy to support the individual subject to a safeguarding enquiry

2.2 Organisational abuse as defined in the Care Act (2014) Statutory Guidance is “neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one’s own home. This may range from one off incidents to on-going ill treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation”.

2.3 There is a duty on care homes to report on the safeguarding concerns which are in most cases not deliberate acts of wilful neglect or ill treatment and once the immediate safeguarding concern is addressed are managed through supporting the care home provider to improve and to address any shortfalls in care practice.

An adult at risk is any person over 18 who is at risk of abuse or neglect because of need for care and support and so those living in care homes would be considered at risk of abuse or neglect.

2.4 In Q3 of 21/22 170 safeguarding related contacts were received from care home providers. Of these, 87 progressed to safeguarding referrals.

Abuse marked as taking place within a Care Home accounted for 37% of episodes in Q3 of 21/22, the same proportion as that taking place in people’s own homes.

The most common type of abuse seen in these concluded enquiries in care homes was neglect and acts of omission – constituting 61% of abuse taking place in Care Homes in Q3 of 21/22.

For those that expressed a preferred outcome to their safeguarding enquiry, all either had that outcome either fully or partially met in Q3 of 21/22.

2.5 An important part of providing care is ensuring a working environment that encourages people to challenge practice in their own workplace. The law offers protection to people who do this under the Public Interest Disclosure Act 1998. A significant number of safeguarding concerns come from people working in care homes and registered managers as well as family members of those living in care homes. The Care Quality Commission regulate care homes and there is a requirement under the Health and Social Care Act for registered managers to report poor practice.

2.6 When several issues relating to one care setting is reported into Adult Social Care a decision will be taken to address any immediate action to protect the individual and then whether to convene a multi-agency organisational safeguarding meeting when there are concerns which may impact several residents in the care home.

This organisational safeguarding meeting will involve CQC and Quality and Safeguarding officers from Clinical Commissioning Group as well as social workers. In Sefton this meeting is chaired by a senior manager from Adult Social Care.

3. Summary

- 3.1 The full policy is appended to this report for assurance to Overview and Scrutiny that safeguarding concerns relating to people who live in care homes are addressed completely, utilising information from a broad range of sources to identify if and what further enquiries are required to ensure subsequent delivery of quality services to all.