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STATEMENT OF GOVERNMENT POLICY ON ADULT SAFEGUARDING

Introduction

The purpose of this document is to set out the Government's policy on safeguarding vulnerable adults. It includes a statement of principles for use by Local Authority Social Services and housing, health, the police and other agencies for both developing and assessing the effectiveness of their local safeguarding arrangements. It also describes, in broad terms, the outcomes for adult safeguarding, for both individuals and agencies and outlines the next steps.

Government Policy

The Government's policy objective is to prevent and reduce the risk of significant harm to vulnerable adults from abuse or other types of exploitation, whilst supporting individuals in maintaining control over their lives and in making informed choices without coercion.

The Government believes that safeguarding is everybody's business with communities playing a part in preventing, detecting and reporting neglect and abuse. Measures need to be in place locally to protect those least able to protect themselves. Safeguards against poor practice, harm and abuse need to be an integral part of care and support. We should achieve this through partnerships between local organisations, communities and individuals.

The State's role in safeguarding is to provide the vision and direction and ensure that the legal framework, including powers and duties, is clear, and proportionate whilst maximising local flexibility. This framework should be sufficient to enable professionals and others to take appropriate and timely safeguarding action locally while not prescribing how local agencies and partnerships undertake their safeguarding duties.

We know that when local people get involved, communities can do things differently. We need local authorities and local multi-agency partnerships to provide leadership in moving to less risk-averse ways of working, and to concentrate on outcomes instead of focusing on compliance. Local multi-agency partnerships should support and encourage communities to find local solutions. These solutions will be different in different places, reflecting, for

example, local demographics and environmental characteristics. However, they should all reflect the key Principles that we set out below.

Principles

Agencies can use the following principles to benchmark existing adult safeguarding arrangements to see how far they support this aim and to measure future improvements:

Empowerment - Presumption of person led decisions and informed consent.

Protection - Support and representation for those in greatest need.

Prevention - It is better to take action before harm occurs.

Proportionality – Proportionate and least intrusive response appropriate to the risk presented.

Partnership - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

Accountability - Accountability and transparency in delivering safeguarding.

Outcomes

Below we make some suggestions for translating these principles into outcomes. Local partnerships might find these a useful starting point in developing locally agreed visible outcomes that local communities, users and carers, understand and agree. We look at these from an individual and a organisational perspective.

Individuals

A summary of how people might experience these outcomes:

A

People worked together to reduce risk to my safety and well being

- I had the information I needed; in the way I needed it

- I was helped to plan ahead and manage the risks that were important to me
- People and services understood me - recognised and respected what I could do and what I needed help with
- The people I wanted were involved
- I had good quality care - I felt safe and in control
- When things started to go wrong, people around me noticed and acted early

People worked together and helped when I was harmed

- People noticed and acted
- People asked what I wanted to happen and worked together with me to get it
- The people I wanted were involved
- I understood the reasons when decisions were made that I didn't agree with
- I got the help I needed by those in the best placed to give it
- The help I received made my situation better
- People will learn from my experience and use it to help others

B

Empowerment –I am consulted about the outcomes I want from the safeguarding process and these directly inform what happens.

Protection - I am provided with help and support to report abuse. I am supported to take part in the safeguarding process to the extent to which I want and to which I am able.

Prevention - I am provided with easily understood information about what abuse is, how to recognise the signs and what I can do to seek help.

Proportionality - I am confident that the responses to risk will take into account my preferred outcomes or best interests.

Partnership - I am confident that information will be appropriately shared in a way that takes into account its personal and sensitive nature. I am confident that agencies will work together to find the most effective responses for my own situation.

Accountability - I am clear about the roles and responsibilities of all those involved in the solution to the problem

Local Agencies

Empowerment

We give individuals relevant information about recognising abuse and the choices available to them to ensure their safety. We give them clear information about how to report abuse and crime and any necessary support

in doing so. We consult them before we take any action. Where someone lacks capacity to make a decision, we always act in his or her best interests.

Protection

Our local complaints, reporting arrangements for abuse and suspected criminal offences and risk assessments work effectively. Our governance arrangements are open and transparent and communicated to our citizens.

Prevention

We can effectively identify and appropriately respond to signs of abuse and suspected criminal offences. We make staff aware, through provision of appropriate training and guidance, of how to recognise signs and take any appropriate action to prevent abuse occurring. In all our work, we consider how to make communities safer.

Proportionality

We discuss with the individual and where appropriate with partner agencies the proportionality of possible responses to the risk of significant harm before we take a decision. Our arrangements support the use of professional judgement and the management of risk.

Partnership

We have effective local information-sharing and multi-agency partnership arrangements in place and staff understand these. We foster a “one” team approach that places the welfare of individuals above organisational boundaries.

Accountability

The roles of all agencies are clear, together with the lines of accountability. Staff understand what is expected of them and others. Agencies recognise their responsibilities to each other, act upon them and accept collective responsibility for safeguarding arrangements.

These Principles are not separate but integral to wider Government policy.

Links to other statements on adult social care

No Secrets

This document builds on “No Secrets”, which will remain as statutory guidance until at least 2013.

In the principles described above, we have taken account of the responses to the public consultation on “No Secrets” in 2008/09, the implementation of the Mental Capacity Act 2005 and the drive towards increasing personalisation of services.

The Government intends to seek to legislate for Safeguarding Adults Boards (SABs) Making existing Boards statutory, while maintaining their freedom to operate in locally flexible ways, will secure a transparent and locally

accountable mechanism for local communities to ensure the protection of vulnerable adults.

Research commissioned by the Department of Health has shown that specific legislation for statutory Safeguarding Adults Boards would help to hold agencies accountable in ways which guidance, differentially binding on the partners, has not so far been able to do. Such a move is widely supported by stakeholders.

The Law Commission has now published the final report of its review of adult social care law and has recommended making SABs statutory.

Vision for social care

We published *A vision for adult social care: Capable communities and active citizens* in November 2010. In the vision we set out a new direction for adult social care, putting personalised services and outcomes centre stage. We emphasized the crucial role of local government and front-line workers and carers in the delivery of personalisation, giving them the freedom and responsibility to improve care services. The section on protection made it clear that we should protect people when they are unable to protect themselves, and that this should not be at the cost of people's right to make decisions about how they live their lives.

Social care outcomes framework

With the sector, we have developed a new strategy for transparency, quality and outcomes framework in adult social care, which aims to empower councils, local people and the wider social care sector to undertake new leadership roles. It provides support to the critical link between adult social care and other local partners.

Wider context

Community Empowerment and Localism

The Government wishes to empower individuals to take responsibility for their own lives. This includes enabling them to protect themselves from harm and abuse, with and without assistance from others.

The Government also wishes to empower communities to make decisions and their own arrangements to suit local needs and priorities. This includes ensuring that we protect adults at risk of significant harm from abuse.

Policing reforms

The Police Reform and Social Responsibility Bill is currently being considered by Parliament. Through this new legislation, in particular the introduction of Police and Crime Commissioners (PCCs), the Government is seeking to

ensure the public are able to set the direction of their policing and hold the police to account, through their PCC, for the provision of policing in their area. We will replace bureaucratic accountability to central Government with democratic accountability to the public.

Key milestones

Publication of Law Commission report on the law on Adult Social Care 11 May 2011

Report of the Independent Commission on the Funding of Care and Support July 2011

White Paper on social care reform December 2011

Supporting Materials

Below are links to some supportive good practice materials that underpin our approach to safeguarding. These include work we have both commissioned and co-produced with partners, such as SCIE, LGID (formerly IDeA) and CQC.

- A Vision for Adult Social Care: Capable Communities and Active Citizens
 - Practical approaches to safeguarding and personalisation
- http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_121508
- The 2011/12 Adult Social Care Outcomes Framework and the formal Government response to the consultation *Transparency in outcomes: a framework for quality in adult social care* can be found at:

http://www.dh.gov.uk/en/Consultations/Responsestoconsultations/DH_125464

- Local Government Improvement and Development Standards and Probes for Adult Safeguarding Peer Review (LGID)

<http://www.idea.gov.uk/idk/core/page.do?pagelId=22653865>

- Health guidance for managers, commissioners and nurses.

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_124882

- A guide to achieving good outcomes in safeguarding adults in health services, with a voluntary self-assessment framework

http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_125152.xls

- Protecting adults at risk: London multi-agency policy and procedures to safeguard adults from abuse

<http://www.scie.org.uk/publications/reports/report39.pdf>

Awaiting publication:

- Research on Safeguarding Adults Boards-SCIE
- Guide to safeguarding law-SCIE
- National Police Guidance on Safeguarding and Investigating the Abuse of Vulnerable Adults-NPIA / ACPO
- Financial Crime against Vulnerable Adults Report -City of London Police/ACPO.