



# Learning today, leading tomorrow

Skills and learning for the housing industry of the future

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Adult safeguarding –  
the need for all staff to engage

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## Adult safeguarding – the need for all staff to engage

*By Imogen Parry, Independent safeguarding adults consultant and trainer for the housing industry*

### Summary

Adult safeguarding is about to become statutory, with implications for housing providers. Safeguarding Adults Boards and Safeguarding Adults Reviews will become compulsory. Adults at risk live in all forms of social housing, not just specialist accommodation. There are many links between safeguarding and other agendas. There are weak legal and regulatory incentives for housing providers to engage in safeguarding exacerbated by difficulties in partnership working. Overcoming these disincentives and problems requires: clear strategic leadership, the training of all front-line staff, participation in multi-agency partnerships, excellent tenant profiling information, the appointment of safeguarding leads, assertiveness in working with statutory agencies; and preventative approaches.

### The new legal framework for adult safeguarding

Adult safeguarding is a relatively new activity when compared to child protection; and is very new for most housing staff. It can be defined as ‘the process of protecting adults with care and support needs from abuse or neglect’.<sup>1</sup> The current non statutory framework for adult safeguarding in England<sup>2</sup> will be replaced by legislation as part of the new Care Bill.<sup>3</sup> Local authorities will be required to set up a Safeguarding Adults Board (SAB) in their area which must include the local authority, the NHS and the Police. Recommendations that housing representation should be included in this list were not accepted by government. However, they would ‘be most concerned if SABs did not address the role, contribution and responsibilities of housing providers in adult safeguarding’.<sup>4</sup>

Local authorities will be required, under the Care Bill, to make enquiries, or ask others to make enquiries, when they think an adult with care and support needs may be at risk of abuse or neglect in their area and to find out what, if any, action may be needed. Safeguarding Adults Reviews (SARs), replacing Serious Case Reviews (SCRs), must be arranged if an adult with care and support needs dies as a result of abuse or neglect and there is concern about how one of the members of the SAB acted.

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## **The role of housing staff in adult safeguarding**

Public awareness of the extent, and often horrific nature, of adult abuse has been raised in the last two years following the broadcast of the Panorama programme on Winterbourne View<sup>5</sup> (in which people with learning disabilities and challenging behaviour were tortured by staff in a private hospital) and the Francis report on neglect and abuse in mid Staffordshire hospital.<sup>6</sup> My own research on lessons for housing providers from adult SCR investigations identified 19 social housing tenants who died due to abuse or neglect. This highlighted the vital need for all housing staff to pick up on the signs of abuse and to have comprehensive databases.<sup>7</sup> Housing providers need to ensure that they have 'appropriate policies and procedures in place to help prevent, detect and deal with abuse. These policies should apply to all tenants at risk of harm, not just those living in sheltered, extra care and supported housing due to the increasing numbers of adults at risk living in general needs housing'.<sup>8</sup> Adult safeguarding also links with other agendas including anti-social behaviour, hate and crime reduction, domestic abuse, health and wellbeing.

## **Barriers to effective involvement of housing staff in adult safeguarding**

Despite the demographic and moral arguments for the engagement of housing staff in adult safeguarding, the legal and regulatory incentives are weak. Sheltered and supported housing staff working under Supporting People (SP) contracts were required to have training on safeguarding but this is reducing due to the removal of ring-fencing of SP funding and successive funding cuts. The Care Bill fails to address my concerns that 'the role of housing in preventing and addressing adult abuse is neglected in legislation, policy, practice and research'.<sup>9</sup> Recommendations by the joint parliamentary report in March 2013 that housing should be included in clauses on information and advice, partners, SABs, integration, hospital discharge and assessment were rejected by the government. Recently, however, we have been told that, in the last three of these topics, housing will be addressed in guidance.<sup>10</sup>

The other most significant barrier to the engagement of housing staff in adult safeguarding is the long-standing difficulty inherent in partnership working. 'Nearly all SCR investigations highlight a breakdown in partnership working as a key factor in failing to keep people safe'.<sup>11</sup> The Annual Report 2011/12 of Luton SAB includes 'lack of effective communication across agencies' as one of a number of key themes arising from national SCR investigations.<sup>12</sup> Penhale's research on partnership arrangements in adult protection is particularly helpful in understanding the reasons for these problems: 'Barriers to partnership working in safeguarding work included: lack of commitment; insufficient funding; lack of clarity about roles and responsibilities; insufficient information sharing; different priorities; (and) delays in decision making'.<sup>13</sup>

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## Overcoming these barriers – strategically and operationally

Senior managers must demonstrate clear strategic leadership and ‘own’ safeguarding, ensuring that it is ‘everyone’s business’. As Domini Gunn, Director of Health and Wellbeing at CIH has said: ‘The commitment to child and adult safeguarding is too often agreed at a senior level in commissioning and service provider organisations but it is not then systematically, consistently and continuously reinforced, monitored and reported at the front line where it matters most’.<sup>14</sup>

At the very least, senior staff should ensure that all front-line staff are trained to recognise the signs of abuse and know how to report concerns, despite the lack of regulatory requirement to do so. Recent good practice examples include safeguarding training for maintenance staff (Adactus, Greater Manchester), refuse collectors (North Tyneside council); and gas servicing staff and others (Coast and County, Redcar).<sup>15</sup>

Senior staff should ensure that other ‘anti-crime’ agendas are linked to adult safeguarding via policies and practice. They should ensure that there is housing representation on the local SAB, Multi Agency Risk Assessment Conference (MARAC)<sup>16</sup> and Multi Agency Public Protection Arrangements (MAPPA).<sup>17</sup> Housing organisations working across large geographical areas should nominate senior representatives for these strategic groups ensuring structures are in place enabling effective information flow in both directions. The particular problems for securing housing representation on SABs in two tier authorities should be addressed.

Senior managers must ensure that databases of tenants record vulnerability and that preventative work targets tenants with a high number of recorded vulnerability factors. Tenants with particularly complex needs or challenging behaviour will require the support of staff who have received specialist training.

Adult safeguarding can be extremely complex, raising a range of ethical, legal, political, policy and practice issues that defy over-simplification. Safeguarding leads within each housing organisation should therefore be appointed, taking responsibility for the development and review of policies, procedures and training for all levels of staff and Board members. The leads can ensure that national and local lessons from SCRs/SARs are disseminated via training and other fora, including through multi-agency training. As it is likely that housing organisations will increasingly be asked by ASC to conduct their own investigations into adult abuse, housing provider safeguarding specialists could take the lead with this activity. These leads can act as specialist advisors on cases, monitor referrals and assist managers with multi-agency working difficulties.

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All staff need to be familiar with their own adult safeguarding policies, their local multi-agency policies on adult safeguarding and the Social Care Institute for Excellence materials on adult safeguarding.<sup>18</sup> They also need to understand the principles and implications of the Mental Capacity Act 2005 and the Human Rights Act 1998. Staff at all levels will need to enhance their assertiveness and other skills in working with professionals from other disciplines, in particular, to work to change negative attitudes towards housing.

Jeremy Porteus' article (above) comments on the lack of knowledge that different sectors have about the skills and services of each other. My own research on lessons for housing providers from adult SCRs pointed to negative attitudes by ASC staff being a contributory factor in the exclusion of housing from partnership working and information sharing. Senior staff will need to be prepared to intervene more frequently, on behalf of junior staff, in the event of poor responses to referrals, exclusion from strategy meetings, delays in safeguarding investigations, failures in sharing information, unclear monitoring arrangements and disagreements about definitions of vulnerability.

The following tips may help housing providers develop proactive approaches and form a checklist which can inform learning on the ground:

If staff are told that the alert or referral cannot be accepted (as it doesn't meet their referral threshold or their definitions of abuse or vulnerable adult/adult at risk), consider the following points:

- Check what their policy says on alert and referral criteria and definitions. Is their interpretation open for discussion?
- Reconsider the facts of your referral – have you left something out and/or underestimated/downplayed the risks?
- Ask if they have a mechanism for gathering information on apparently low level cases, especially where there is an emerging pattern of referrals.
- Ask for advice on how to handle the situation yourself or via other agencies.
- If the case is not accepted and investigated, refer again if circumstances and risks change.

If staff are told 'it is the person's choice' (for example, to refuse services or intervention) or that 'they have capacity and the right to make unwise decisions' consider the following points:

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- Was the person coerced?
  - Is anyone else at risk?
  - Has there been a proper and recent capacity assessment on this issue?
  - Could there be an over-riding duty of care?
  - Has the person been accurately and recently diagnosed (for example, with a learning disability or mental health issues) and risk assessed? Particular attention should be paid if their circumstances have deteriorated and/or their needs have increased or are very complex and/or there is a sudden change in behaviour which could indicate an escalating problem.

Preventative approaches to safeguarding will be increasingly necessary, given the likelihood of increasing numbers of frail and vulnerable tenants. Sheltered housing schemes are ideally suited to taking part in the World Elder Abuse Awareness Day,<sup>19</sup> involving not only tenants, but older and vulnerable people from the wider community.

### Key points

- More involvement by all housing staff in adult safeguarding is vital due to increasing levels of vulnerability of tenants in all types of social housing.
  - To make this involvement effective, all staff must be trained and receive specialist support from safeguarding leads employed by housing providers.
  - Senior managers must engage in SABs, MARAC, MAPPA and other fora.
  - Special efforts must be made to overcome inherent joint working issues with adult social care.
  - Tenant profiling and preventative approaches are vital.
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## Endnotes

- 1 Department of Health (2013) *Factsheet 7 The Care Bill – protecting adults from abuse or neglect*. Available from: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/198104/9520-2900986-TSO-Factsheet07-ACCESSIBLE.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/198104/9520-2900986-TSO-Factsheet07-ACCESSIBLE.pdf) [accessed 12 May 2013]
- 2 Department of Health (2000) *No Secrets: Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults*. Available from: <https://www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care> [accessed 01 June 2013]
- 3 Great Britain (2013) Care Bill (HL) 2013-14. Available from: [http://www.publications.parliament.uk/pa/bills/bill/2013-2014/0001/lbill\\_2013-20140001\\_en\\_1.htm](http://www.publications.parliament.uk/pa/bills/bill/2013-2014/0001/lbill_2013-20140001_en_1.htm) [accessed 01 June 2013]
- 4 Department of Health (2013) *The Care Bill explained*, (page 67). Available from: <http://www.official-documents.gov.uk/document/cm86/8627/8627.asp> [accessed 01 June 2013]
- 5 BBC Panorama *Winterbourne View* (2011) [TV broadcast] Available from: <http://www.bbc.co.uk/programmes/b011pwt6> [accessed 01 June 2013]
- 6 Mid-Staffordshire NHS Foundation Trust Public Inquiry (2013) *Report of the Mid Staffordshire NHS Trust*, February 2013 (Francis Report). Available from: <http://www.midstaffspublicinquiry.com/> [accessed 5 June 2013]
- 7 Parry, I. (2013) *MA dissertation Adult Serious Case Reviews: lessons for housing providers*. [Unpublished]
- 8 ADASS and LGA (2013) *Safeguarding Adults: Advice and Guidance to Directors of Adult Social Services*, (page 12). Available from: [http://www.adass.org.uk/images/stories/Policy%20Networks/Safeguarding\\_Adults/Key\\_Documents/LGA%20ADASS\\_SafeguardingAdviceAndGuidanceToDASS\\_Mar13.pdf](http://www.adass.org.uk/images/stories/Policy%20Networks/Safeguarding_Adults/Key_Documents/LGA%20ADASS_SafeguardingAdviceAndGuidanceToDASS_Mar13.pdf) [accessed 05 June 2013]
- 9 Parry, I. (2013) *Written evidence to the joint parliamentary committee on the Draft Care and Support Bill and quoted in their report*, 2013 (para. 163). Available from: <http://www.publications.parliament.uk/pa/jt201213/jtselect/jtcare/143/143.pdf> [accessed 05 June 2013]
- 10 Department of Health (2013) *The Care Bill* (pages 64,65,68). Available from: <http://www.official-documents.gov.uk/document/cm86/8627/8627.asp> [accessed 05 June 2013]

- 11 ADASS and LGA (2013) *Safeguarding Adults: Advice and Guidance to Directors of Adult Social Services*, (page 15). Available from: [http://www.adass.org.uk/images/stories/Policy%20Networks/Safeguarding\\_Adults/Key\\_Documents/LGA%20ADASS\\_SafeguardingAdviceAndGuidanceToDASS\\_Mar13.pdf](http://www.adass.org.uk/images/stories/Policy%20Networks/Safeguarding_Adults/Key_Documents/LGA%20ADASS_SafeguardingAdviceAndGuidanceToDASS_Mar13.pdf) [accessed 05 June 2013]
- 12 Luton Safeguarding Adults Board (2012) *Annual Report 2011-2012*. Available from: [http://www.luton.gov.uk/Health\\_and\\_social\\_care/Lists/LutonDocuments/PDF/Community%20Care/Protecting%20Vulnerable%20Adults/Safeguarding%20adults%20Annual%20Report%202011-2012.pdf](http://www.luton.gov.uk/Health_and_social_care/Lists/LutonDocuments/PDF/Community%20Care/Protecting%20Vulnerable%20Adults/Safeguarding%20adults%20Annual%20Report%202011-2012.pdf) [accessed 10 June 2013]
- 13 Penhale, B., Perkins, N., Pinkney, L., Reid, D., Hussein, S., & Manthorpe, J. (2007) *Partnership and regulation in adult protection: The effectiveness of multi-agency working and the regulatory framework in adult protection*. Sheffield: University of Sheffield, and London
- 14 Wellman, A. (2011) 'Housing must be priority in supporting vulnerable children argues CIH', *Inside Housing*, 30.June.2011. Available from: <http://www.insidehousing.co.uk/care/housing-must-be-priority-in-supporting-vulnerable-children-argues-cih/6516439.article> [accessed 10 June 2013]
- 15 Details can be supplied by the author (Imogen Parry) on request.
- 16 Multi-Agency Risk Assessment Conference (MARAC) – forum for multiple agencies to get together to provide a co-ordinated response for those at the highest risk of domestic abuse.
- 17 Multi-Agency Public Protection Arrangements (MAPPA) – arrangements for responsible authorities tasked with the management of registered sex offenders, violent and other types of sexual offenders, and offenders who pose a serious risk of harm to the public.
- 18 Social Care Institute of Excellence (SCIE): <http://search02.scie.org.uk/?q=safeguarding> [accessed 10 June 2013]
- 19 World Elder Abuse Awareness Day: [http://www.elderabuse.org.uk/Mainpages/Support/support\\_wعاد.html](http://www.elderabuse.org.uk/Mainpages/Support/support_wعاد.html) [accessed 10 June 2013]