

# Report of the Interim Strategic Director of Adult and Community Services and the Strategic Director of Children's Services to the meeting of the Health and Wellbeing Board to be held on 24th November 2015.

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**Subject:**

Joint report on safeguarding arrangements for Children, Young People and Adults

**Summary statement:**

This report for the Health and Wellbeing Board brings progress reports from the Bradford Safeguarding Children Board and the Safeguarding Adult Board – Bradford and Airedale for feedback and discussion. The report outlines in brief the main areas covered by the annual reports and highlights three areas of focus where joint approaches to policy and practice are in operation or in development across children's and adults' safeguarding arrangements.

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**Portfolio:**

**Children's Services**  
**Health and Social Care**

**Overview & Scrutiny Area:**

**Children's Services**  
**Health and Social Care**

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## 1. SUMMARY

This report introduces the annual reports from the Children's and Adult Safeguarding Boards for feedback and discussion at the Health and Wellbeing Board. A link to the Bradford Safeguarding Children Board annual report is provided in section 12 Background documents. A draft of the Safeguarding Adults – Bradford and Airedale report is provided as an appendix and a link to the Board website where the final report will be published is provided.

The paper highlights recent changes to legislation, policy and practice for example in relation to Children with Special Educational Needs, complex health and disability and in relation to the Care Act and personalisation of care.

The report highlights three areas of practice where the statutory and community and voluntary and community sector partners, the Safeguarding Boards and delivery teams in the council's Children's Services and Adult and Community Services are operating or developing shared policy and practice approaches across children's and adults' safeguarding. These are Early Help, Special Educational Needs, complex health and disability and sexual exploitation. In addition an update on patient and care home safety is provided.

## 2. BACKGROUND

The Board reviewed the 2013-14 annual reports of the Children's and Adult Safeguarding Boards in November 2014 and resolved the following:

"That the Board has a themed meeting at least annually that looks at safeguarding issues across Adults and Children's Services as part of its responsibilities for the health and wellbeing of the district."

- That a further report be presented to the Board on the progress made with the Bradford Safeguarding Children Board Work Plan for 2014/15.
- That a further report be presented to the Board on the progress made with the Safeguarding Adults– Bradford and Airedale Board Work Plan for 2014/15 and priorities for 2015/16.
- That a further report be presented to the Board on whether relevant agencies could have a system in place that flags up any child that is at risk of child sexual exploitation so that any agency that had access to records could immediately be alerted of a child at risk.

The annual reports of the Bradford Safeguarding Children Board and the Safeguarding Adults Board provide updates on the work plans for 2014-15 and priorities for 2015-16. See section 12 – Background documents for links to the websites where reports are published.



## **2.1 Bradford Safeguarding Children Board (BSCB) Annual Report:**

Bradford Safeguarding Children Board (BSCB) has produced an Annual Report covering the period April 2014 – March 2015. This report sets out the context of partnership work to safeguarding children in the Bradford District. It also addresses some of the key activity areas and priorities for BSCB and its partners, along with scrutiny, challenge and response by BSCB. The report also contains information about the governance, resources and accountability of BSCB. The full report can be accessed on the BSCB website. See section 12 Background documents.

The report is broken down into the following key areas:

- The safeguarding children context in the Bradford District;
- Effectiveness of Safeguarding Children Performance Information
- Key activity areas;
- Judging the effectiveness of the local response to child sexual exploitation (CSE);
- Priorities during 2014 – 15;
- Scrutiny, Challenge and Response:
- How the BSCB sub-groups and other panels worked on the safeguarding agenda during 2014 – 15;
- Safeguarding in the voluntary and community sector;
- Participation and the views of children and young people.

In addition, the annual report has two appended documents:

- Governance, accountability and resources;
- Child Death Overview Panel annual report.

The Annual Report outlines the local response to child sexual exploitation (section 5) and developments are guided by the BSCB 9 Point Strategic Response to CSE, for which an action plan is in development. The CSE sub group of BSCB is responsible for monitoring the delivery of the plan and is developing specific, measurable actions under each of the points and reports on progress to BSCB and its independent chair.

Alongside tackling CSE the Annual Report also focuses on other key areas and priorities of safeguarding in partnership including:

- Children who go missing, including children missing from education;
- Safeguarding Looked After Children
- Allegations against people who work with children;
- Private fostering;
- Safeguarding children arrangements in Mosques and Madrassahs
- Further progress on learning from the Hamzah Khan serious case review;



The Annual Report also explains the BSCB's approach to scrutiny, challenge and response through:

- Section 11 Audit: *Working Together 2015* requires Local Safeguarding Children Boards to gather data to assess whether partners are fulfilling their statutory obligations regarding safeguarding and promoting the welfare of children as set out in Section 11 Children Act 2004
- Challenge Panels (multi-agency case file audits)
- Learning Lessons Reviews

During 2014/15 the Board has continued to meet bi-monthly, with the Business Planning Sub-Group (Executive) meeting on the intervening months. The work of BSCB is undertaken through the Sub-Group structure and is heavily reliant on the input and contributions of staff from all partner agencies. The commitment shown by agencies and their staff is testament to the seriousness with which BSCB is viewed and the shared intent across the partnership to improve multi-agency working, services and outcomes for children and young people.

## 2.2 Annual Report of the Bradford Safeguarding Adults Board (SAB) – Bradford and Airedale

The annual report covers the period April 2014 – March 2015 and outlines the actions taken by the SAB to address the developments in adult safeguarding in respect of the changes introduced by the Care Act 2014, as well as addressing the activities and priorities of SAB and partner agencies. .

On 1<sup>st</sup> April 2015 the Care Act 2014 replaced the 'No Secrets' Guidance placing safeguarding on a clear statutory footing for the first time. This is the major change in adult safeguarding over the last 12 years.

- Section 42 of the Care Act 2014 places a LEGAL duty on the Local Authority to, “*make* (or ensure that others make) whatever enquiries the Local Authority consider necessary to enable it to decide if any action, including safeguarding action, and if so, what, when and by whom should it be taken when it has reasonable cause to suspect an adult in its area (whether ordinarily resident or not) has care and support needs, is subject to, or at risk of abuse or neglect **and** as a result of those needs is unable to protect him/herself against the abuse or neglect or the risk of it. An **enquiry** should establish whether any action needs to be taken to stop or prevent abuse or **neglect**, and by whom”.
- Safeguarding Adult Boards:
  - Are now required by statute (s43 Care Act 2014) and include the core membership of the Local Authority, the Police, and the NHS (specifically the CCG's) – and has the power to include other bodies.
  - Members of SABs must cooperate with each other to protect an adult experiencing or at risk of abuse or neglect as described in s42.
  - must undertake Safeguarding Adult Reviews (SAR)



- must publish annual strategic plans (after consultation with the community and Local Healthwatch organisation) and annual reports of objectives achieved and findings of any SARs, any outstanding SARs, and the progress of SAR recommendations and reasons for any lack of progress.
- Under the Care Act 2014 in safeguarding, Local Authorities have the **lead coordinating role** with all relevant organisations within their area.
- **Councillors** should be aware of their corporate role in preventing and reporting abuse.
- **Overview & Scrutiny Committee** and **Health & Wellbeing Board** have sight of SAB's strategic and annual reports (in order to understand and challenge them).
- The **Director of Public Health** must ensure that their service is working within a safeguarding context to prevent abuse.

The scope of abuse recognised by The Act now includes:-

- Physical abuse,
- Domestic Violence
- Sexual abuse
- Psychological abuse
- Financial and material abuse
- Modern Slavery
- Discriminatory abuse
- Neglect and acts of omission,
- Organisational abuse
- Self Neglect

A core element of The Care Act 2014 is the introduction of 'making safeguarding personal' (MSP). This ensures that the safeguarding processes and professionals listen and reflect the views of adults at risk in any measures that are taken to protect them. Making Safeguarding Personal seeks to achieve:

- A personalised approach that enables safeguarding to be done with, not to, people
- Practice that focuses on achieving meaningful improvement to people's circumstances rather than just on 'investigation' and 'conclusion'
- An approach that uses social work skills rather than just 'putting people through a process'
- An approach that enables practitioners, families, teams and Safeguarding Adult Boards to know what difference has been.

Looking forward, key elements of the Strategic Plan:-

The Strategic plan for 2015- 2018 will be updated annually and is informed by consultation



with both carers and people who use services, along with partner self assessment and analysis of data and performance.

**Empowerment and Proportionality:**

- Be assured that 'Making Safeguarding Personal' is implemented across Bradford and that agencies empower people to achieve the safeguarding outcomes they want.
- Ensure that SAB and services in Bradford have fully embedded the empowering ethos of the Care Act within safeguarding arrangements
- Ensure the range of locally available independent advocacy supports the empowerment of adults at risk.
- Make sure that it incorporates service user and carer perspective by creating opportunities to listen to their stories.

**Prevention and Protection:**

- Raise the profile of SAB's activities with communities and organisations who are less aware of adult safeguarding.
- Be assured that support to carers is helping prevent carer stress and abuse or neglect.
- Help people who have experienced abuse or neglect to be more resilient and to feel and be safer in the future.
- Identify ways in which individuals may be better protected by working with people who have caused abuse.

**Partnerships and accountability:**

- Cooperate with other strategic partnerships to prioritise and coordinate work streams that affect adults at risk, including, frauds/scams, forced marriage, violent extremism and sexual exploitation.
- Strengthen local arrangements to identify and monitor care settings where there may be increased risks of abuse and neglect.
- Be assured that local safeguarding arrangements support effective interagency working and information sharing.
- Be assured that there are effective arrangements to share good practice and learn from Safeguarding Adults Reviews.
- Strengthen assurance that all partners contribute appropriately to local safeguarding work and have effective arrangements which are consistent with local multiagency safeguarding adults policy and procedures.
- Strengthen relationship with the Health and Wellbeing Board, Children's Safeguarding Board, Domestic Abuse Partnership and other key partnership bodies.

**3. REPORT ISSUES**

This joint report highlights three areas of practice where the statutory and voluntary partners of the Children and Adult Safeguarding Boards and the delivery teams of the



council's Children's Services and Adult and Community Services are operating or developing shared approaches across children's and adults' safeguarding. These are Early Help, Special Education Needs, complex health and disability and sexual exploitation, with an update on patient and care home safety.

### 3.1 Safeguarding through Early Help

A high proportion of enquiries to Children's Specialist Services in Bradford are made in relation to families where there are concerns about children and young people and confusion about how to access support, and which families should be referred to which services. This results in repeat enquiries, multiple assessments, a culture of referring families onto other services, and some families not receiving the help they need until they are at crisis point.

Early Help is an approach that is intended to respond to such families, to improve outcomes for children and to act before concerns and needs escalate. Dame Eileen Munro had made earlier intervention a key recommendation of her 2011 Munro Review of Child Protection (see section 12 below - background documents). The government's response was to require Local Authorities to develop an Early Help Offer to families.

Despite some good examples of positive work being undertaken, the District has so far lacked a clear, consistent approach to providing Early Help and has not delivered the outcomes for families. As a result pressure continues to appear at the acute end of Children's services whilst other services are working with an increasing number of families with complex needs that require a high level of intervention.

To respond Children's Services is leading a programme of change with key partners to ensure we have a shared and well understood approach to approach to building strengths, safety and **stability** in families. A new Early Help Offer will ensure we intervene earlier and develop a clear and accessible route to Early Help interventions for professionals and the public. The change programme will:

- develop a clear multi agency Early Help framework
- re-develop the integrated Early Help Offer across all key agencies
- roll out of 'Signs of Safety' (a practice tool to identify strengths, risks and develop clear action plans with families) across the children's partnership.
- develop Early Help commissioning,
- provide appropriate workforce development
- develop a performance framework

When Sandwell implemented a similar approach, they experienced significant reduction in inappropriate enquiries and referrals to children's social care within six months and made savings as a result. The District would need to consider this a 3-5 year commitment to



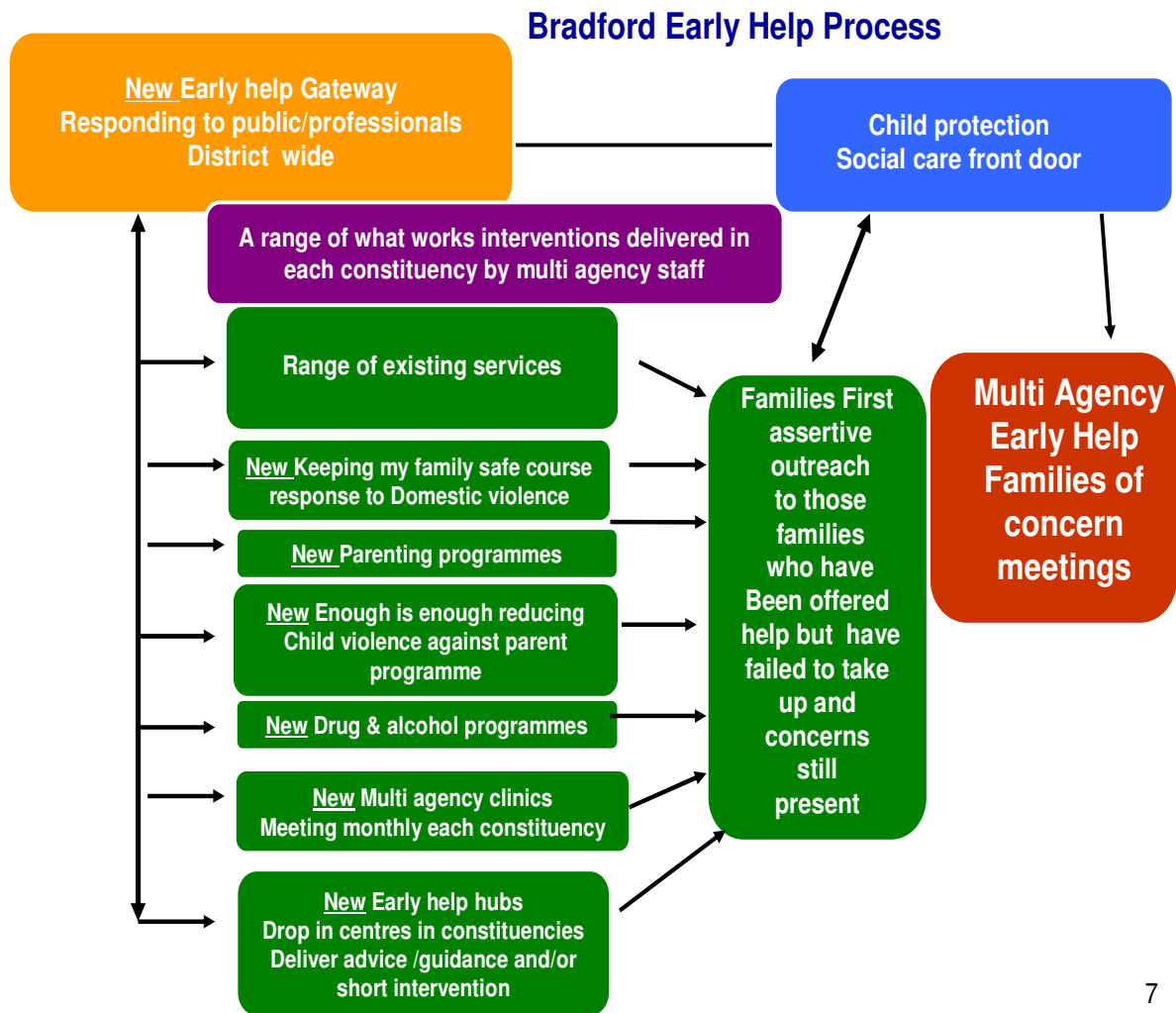


implement and embed the programme. We would expect to see evidence of improvement in outcomes from the second year onwards.

The intention is to work with partners to establish a pathfinder in Keighley and the Better Start area from April 2016, then to extend District-wide - in October 2016.

The diagram below outlines a proposed Early Help gateway to simplify the route for professionals to make and direct referrals to appropriate multi-agency interventions.

The District's Families First service will undertake further work with families where there are safeguarding concerns, but who have not engaged with early intervention services.





## **3.2 Safeguarding Young People as they Prepare for Adulthood (SEN, complex health and Disability)**

### **3.2.1 The National Context**

One aspect of the Children and Families Act 2014 is that local authorities must provide information and advice for children with SEN and their parents or carers about matters relating to their SEN or disabilities, including matters relating to health and social care.

Alongside this requirement, the Care Act 2014 says that if a child, young carer or an adult caring for a child who is likely to have needs when they, or the child they care for, turns 18, the local authority must assess them if it considers there is 'significant benefit' to the individual in doing so. This is regardless of whether the child or individual currently receives any services.

### **3.2.2 Local context:**

In 2011 a health needs assessment of children with disabilities and complex health needs across Bradford District was undertaken to inform the review of the Child Development Centres and Community Paediatrics, it concluded that:

- There is very strong evidence that Bradford District has a much higher prevalence of childhood disability and a wide range of complex health needs compared to regional and national rates.
- There will be large increases in the number of children, and particularly children of South Asian origin. Given that children of South Asian origin are recognised as being at higher risk of many types of disability and complex health need, combined with the relatively high levels of deprivation in Bradford it is expected that there will be a considerable increase in children with disabilities and complex health needs.
- There are also young people who, while they do not have 'multiple impairments', have quite high levels of need in terms of continuing health care. Over recent years, children with conditions associated with poor life expectancy (such as cystic fibrosis) have been surviving into adulthood because of more effective interventions and better quality care.
- There are increasing numbers of young people who have a range of physical, sensory and cognitive impairments, many of whom also have continuing health care needs associated with their impairments.

The 2013 SEND review showed that parents were concerned about the timeliness of transition planning for packages of support moving from children to adult services. A significant number of parents reported planning took place too late. Parents, like professionals, have expressed concern that they are supported to purchase high quality support and make safe and appropriate choices when more families take up Direct Payments.

To address these concerns and issues through earlier and improved preparation for adulthood a dedicated Project Team has been set up within the Adult Transformation Programme to develop an integrated team across Children's and Adults Services and



Health.

### **3.2.3 Development of an Integrated Preparation for Adulthood Service:**

The integrated team will deliver continuity of social care planning including:

- Education and/or employment – this includes exploring different employment options, such as support for becoming self-employed and help from supported employment agencies
- Independent living – this means young people having choice, control and freedom over their lives and the support they have, their accommodation and living arrangements, including supported living
- Participating in society, including having friends and supportive relationships, and participating in, and contributing to, the local community.
- Being as healthy as possible in adult life.

In addition to this the team will support the following:

- Children and Families Act 2014 - rights of young people take precedence when they turn 16.
- Supporting high aspirations – we have the same hopes for disabled young people as non-disabled people – contribute to the world of work and attend a good school or college.
- Developing an integrated Preparing for Adulthood skill set that works across Children's, Adults and Health.
- Building understanding that the most important changes do not happen at age 18 - and developing practice to support the significant changes at ages 14 and 16.

The team will address the needs and demand for a timely and responsive service to people with special educational needs, complex health and disability and their families as they prepare for adulthood.

### **3.3 Sexual Exploitation: protecting and supporting children and adults:**

There has been significant and appropriate focus by the Council and its partners on arrangements to safeguard children from sexual exploitation. However, there is significant local and national evidence of some vulnerable adults also being targeted for sexual exploitation.

In addition, there is local information, particularly emerging from the work of the joint Local Authority/West Yorkshire Police Historic Enquiries team of the challenges facing adults who have been sexually exploited as children, in relation to their need to make a safe disclosure. These adults need confidence about the action to be taken by agencies as a result of the disclosure and require assessment of their own needs and pathways to access appropriate therapeutic support.



The Adult Safeguarding Board has received reports about the arrangements for addressing CSE within the District, and protocols have been agreed for information sharing between the CSE Hub and the Adult Protection Unit.

The Adult Protection Coordinator sits on the BSCB CSE sub group. In addition, an Adult Protection Senior Practitioner attends weekly meetings at the CSE Hub to enhance operational coordination between safeguarding children and adult protection services.

Following the participation of service users at a recent conference organised as part of Safeguarding Week: Child Sexual Exploitation: impact and building resilience”, BSCB is planning an audit and challenge process to establish the extent to which the potential therapeutic needs of children and adults who have been sexually exploited are assessed and understood. This will provide an indication of need to inform work with health and voluntary sector partners to ensure that pathways to appropriate services are in place.

### **3.4 Patient and Care Home Safety**

The report on failures of care at the Mid Staffordshire NHS Foundation Trust prepared by Sir Robert Francis QC and published in February 2013 called for a “fundamental culture change” across the health and social care system to put patients first at all times.

The report called for action by commissioners, providers and regulators across six core themes; culture, compassionate care, leadership, standards, information and openness, transparency and candour.

Through their commissioning relationships with NHS providers the three CCGs for Bradford District and Craven manage contracts and oversee quality, ensuring that providers have systems in place for care quality and patient safety. The CCGs also work within West Yorkshire and District-wide arrangements to oversee the quality of care, including patient safety.

The three CCGs have action plans that were developed in response to the Francis Inquiry but that also address recommendations from the Winterbourne, Berwick and Keogh reports which related to aspects of patient safety and the quality of care in care homes as well as hospitals.

Bradford District and City CCGs have a joint action plan in which a large majority of its actions are complete. Further work on codes of practice, standards for training, leadership and electronic patient information systems is underway to complete the 10 remaining actions. Airedale, Wharfedale and Craven CCG report all actions completed and the Quality Team continues to apply the actions to all future developments.

The Integration and Change Board has also appraised current potential system risk across the Care Home sector and will be working to manage this for winter 2015-16 period as well as ensuring that longer term work provides solutions to future risk.

#### **3.4.1 Mental Health Capacity Act**



BMDC has provided training to the care homes regarding the Mental Health Capacity Act to ensure they are aware of their duties and to plan the work required. The process of assessment and authorisation of any specific restrictions that residents are unable to consent to affords protection to residents. Adult & Community Services has needed to increase its capacity for assessments tenfold as a result of the extension of the Act resulting from a High Court judgement in March 2013.

Whilst we are increasing capacity we are not able to make decisions on all cases and prioritise applications using ADASS guidelines. We are commissioning externally additional capacity. We have trained 14 more staff this year and more will be training next year with the intention that all of our experienced social workers are qualified to undertake this duty. Our experience has been that with a few exceptions inappropriate restrictions have not been identified in care homes.

#### **4. FINANCIAL & RESOURCE APPRAISAL**

This report updates on the safeguarding work undertaken during 2014-15 and the priorities for 2015-16. Finance and resource issues during these periods of time have been appraised through Council and partner budget and resource planning processes and are reflected in the annual reports. See Section 12 Background documents.

#### **5. RISK MANAGEMENT AND GOVERNANCE ISSUES**

Risk and governance relating to safeguarding is managed through the two Safeguarding Boards' and each Board's sub-groups. The approach to both risk and governance is explained through the annual reports. See Section 12 Background Documents.

#### **6. LEGAL APPRAISAL**

The Care Act 2014 established Safeguarding Adults Boards as the statutory body responsible for the duties outlined in Section 2.2 of this report.

The annual reports of the Bradford Safeguarding Children Board, and the Safeguarding Adults Board – Bradford and Airedale (to be published), describe how the Boards co-ordinate and govern the work of the Council and partners to fulfil the statutory duties in respect of safeguarding children and adults.

Legal appraisal of the 2014-15 annual report of the Safeguarding Adults Board – Bradford and Airedale will be undertaken before publication of the report.

#### **7. OTHER IMPLICATIONS**



**7.1 EQUALITY & DIVERSITY**

None

**7.2 SUSTAINABILITY IMPLICATIONS**

None.

**7.3 GREENHOUSE GAS EMISSIONS IMPACTS**

None

**7.4 COMMUNITY SAFETY IMPLICATIONS**

None

**7.5 HUMAN RIGHTS ACT**

None

**7.6 TRADE UNION**

None

**7.7 WARD IMPLICATIONS**

None

**7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS  
(for reports to Area Committees only)**

N/A.

**8. NOT FOR PUBLICATION DOCUMENTS**

None

**9. OPTIONS**

None

**10. RECOMMENDATIONS**

10.1 That the Board receive the annual reports of the Bradford Safeguarding Children and Safeguarding Adults Boards.



10.2 That the Board support the development of a new integrated Early Help Offer for the District.

10.3 That the Board task the Bradford Health and Care Commissioners to support the development of a Joint Commissioning Strategy for Special Educational Need and Disability based on the recent update of the SEND Needs Assessment.

## 11. APPENDICES

None

## 12. BACKGROUND DOCUMENTS

### **Bradford Safeguarding Children Board (BSCB) Annual Report 2014-15**

[http://bradford-scb.org.uk/2015\\_documents/BSCB%20Annual%20Report%202014-15.pdf](http://bradford-scb.org.uk/2015_documents/BSCB%20Annual%20Report%202014-15.pdf)

### **Safeguarding Adults Board (SAB) – Bradford and Airedale**

The link to the annual report will be published on the website at the link below following the next meeting of the Safeguarding Adults Board:

[http://www.bradford.gov.uk/bmdc/health\\_well-being\\_and\\_care/adult\\_care/adult\\_abuse/for\\_apracs/safeguarding\\_adults\\_board](http://www.bradford.gov.uk/bmdc/health_well-being_and_care/adult_care/adult_abuse/for_apracs/safeguarding_adults_board)

Munro, Professor E. (2011) Munro review of child protection: final report – a child-centred system; Cm 8062. London: HMSO.

<https://www.gov.uk/government/publications/munro-review-of-child-protection-final-report-a-child-centred-system>

