



7 Minute Briefing

SAFEGUARDING ADULTS REVIEW MAUREEN

THE ADULT

Maureen was a 66-year-old woman from a Black Caribbean ethnic background. She lived alone in a social tenancy provided by the local authority/ Lewisham Homes since 2011.

Maureen's friend since childhood and her goddaughter explained that Maureen had been a very intelligent, resourceful woman, who was excellent with money and had cared for her parents, her brother and other family members.

Her friends felt Maureen had always experienced some challenges with her mental health and were aware that she had become increasingly withdrawn, isolating herself from others over the past decade.



BACKGROUND TO THE REVIEW

Maureen had experienced a number of losses of her friends and family in a short period of time, perhaps due to these losses Maureen took to feeding local pigeons and would also bring them into her home. This affected the cleanliness and condition of her property and impacted on people living in the same block of flats. When asked by professionals about feeding and keeping birds, she either denied the behaviour or appeared to have no insight into the condition of her living environment.

WHAT HAPPENED

There was a history of agencies failing to engage Maureen; she declined offers of care and support, and only appeared to participate in assessments when ordered or requested by the Court, although there was considerable multi-agency activity during the last year of her life. Having been reported as a missing person the police attended the property and found Maureen deceased in her home; she appeared to have been dead for some time.



KEY LEARNING



- In cases where there is the 'challenge of engagement', this may mean there are limited opportunities for formal Mental Capacity Act assessments to be conducted. It is important for individual practitioners and multi-disciplinary teams to take collective ownership of this subject: reflecting, observing, asking questions, and recording their judgements and views at each touch point working with the individual.
- Second tier advice for mental capacity assessments from a clinical psychologist or psychiatrist (also including legal advice) is extremely helpful in building skills and confidence and providing expert input and challenge.
- Cases of self-neglect benefit from a longitudinal approach, in which risks are reviewed (e.g. using the headings outlined in the London Multi-Agency Adult Safeguarding Policy & Procedures Page 51). When case closure is considered and where further referrals are received/ a case is re-opened; the risk assessment tool should inform these decisions, and also regarding risk management/ mitigation plans.
- People who self-neglect with a high level of risk and where engagement by standard methods is not working, may need intensive resourcing, whether by social workers or a commissioned specialist support agency, e.g., allowing for several visits a week and including assertive outreach methods.
- The statutory Safeguarding Enquiry and planning processes enable greater involvement and information sharing between a wider range of agencies.
- It is important to challenge assumptions that there is little point pursuing Care Act Assessments where standard service offers may not be suitable and/or accepted by the person. There should be a focus on broadening assessment into wellbeing outcomes, and safeguarding risks – in line with Section 11 and Section 42 of the Care Act 2014.
- When an assessment or help is refused, in line with Articles 2&3 of the Human Rights Act 1998 consideration needs to be given as to whether to request the High Court invoke its inherent jurisdiction for those who do have mental capacity to make relevant decisions but are vulnerable and at risk from the actions (or sometimes inactions) of other people. For further information refer to the LSAB Multi Agency Self-Neglect Policy, Practice Guidance and Procedures.



The Lewisham Adult Safeguarding Pathway provides the best response to Safeguarding Concerns being raised and should be used by all organisations.

Engagement is a two-way process, and you should take responsibility and ownership for engagement, escalating the risk of non-engagement rather than closing cases.

Repeated and continuous attempts at engagement may be necessary before an individual responds. It is important not to sever contact with an individual who is displaying self-neglect/risk taking behaviour based on their refusal to engage with services, regardless of their mental capacity to make this decision.

Complex self-neglect issues may require a thorough multi-agency response, escalating beyond the standard Section 42 Safeguarding Enquiry process to utilise the local high-risk panel. (See [LSAB Multi Agency Self-Neglect Policy, Practice Guidance and Procedures](#)).



QUESTIONS FOR YOU TO CONSIDER

- Have you considered if a mental capacity assessment is required with an adult where there are serious concerns with self-neglect? Has this been done recently, and has it been formally recorded?
- Have there been open and sensitive conversations with the person about the impact self-neglect is having on their wellbeing?

WHAT YOU CAN DO TO PREVENT A REOCCURRENCE



- Increase your confidence and skills (e.g. drawing on approaches such as motivational interviewing, psychologically informed approaches, such as adult attachment) and clinical supervision to engage with people who self-neglect.
- Seek second tier advice for mental capacity assessments from a clinical psychologist or psychiatrist, as well as legal advice.
- Ensure you are aware of what support you can access and how, from the [Lewisham Autism Hub](#) in relation to your casework.
- Ensure that there is reflection on equality issues (including neurodiversity) as a standing agenda item in your supervision and multi-disciplinary team meetings to reflect on the potential for unconscious bias or institutional discrimination.
- Consistently use the Hoarding Assessment Tool/ Clutter Image Rating Scale available in the [LSAB Multi Agency Self-Neglect Policy, Practice Guidance and Procedures](#)
- Use a trauma informed approach to forge relationships with individuals to gain their trust and confidence.

LINKS TO FURTHER INFORMATION

- [LSAB Guidance on Improving our Approach to Adult and Family Engagement](#)
- [LSAB Multi Agency Self-Neglect Policy, Practice Guidance and Procedures](#)
- [LSAB Inter-Agency Escalation Policy](#)
- [London Multi-Agency Adult Safeguarding Policy and Procedures](#)
- [Self-neglect: At a glance - SCIE](#)

LINKS TO RELEVANT LEGISLATION

- [The Care Act \(2014\) statutory guidance](#) – Self-neglect is included as a category under adult safeguarding.
- [Section 9 Care Act 2014](#) – Assessment of an Adult's Needs for Care and Support
- [Section 11 Care Act 2014](#) – Refusal of Assessment
- [Section 11 – Refusal of Assessment Care Act 2014](#) – Explanatory Notes
- [Section 42 Care Act 2014](#) – Enquiry by Local Authority
- [Articles 2 and 3 of the Human Rights Act 1998](#) – Gives us a right to life and freedom from inhuman or degrading treatment. A case could be built that leaving someone to live in a way that leads to their physical or environmental decline, or which leaves them open to abuse and exploitation is a breach of either Article 2 or Article 3.
- [Article 8 of the Human Rights Act 1998](#) – Gives us a right to respect for private and family life. However, this is not an absolute right and there may be justification to override it, for example, protection of health, prevention of crime, protection of the rights and freedoms of others.
- [Mental Health Act \(1983\) s.135](#) – If a person is believed to have a mental disorder and they are living alone and unable to care for themselves, a magistrate's court can authorise entry to remove them to a place of safety.
- [Mental Capacity Act \(2005\) s.16\(2\)\(a\)](#) – The Court of Protection has the power to make an order regarding a decision on behalf of an individual. The court's decision about the welfare of an individual who is self-neglecting may include allowing access to assess capacity.
- [Public Health Act \(1984\) s.31-32](#) – local authority environmental health could use powers to clean and disinfect premises but only for the prevention of infectious diseases.
- [The Housing Act 1988](#) – a landlord may have grounds to evict a tenant due to breaches of the tenancy agreement.

