

Safeguarding Adults Review Mark: WFSAB response and action plan

SAR Mark

Case summary:

Mark (not his real name) is a British white man who grew up in a close family. He was diagnosed with Attention Deficit Hyperactivity Disorder (ADHD) at eight years of age. Mark's forensic history includes a caution for common assault in 2004 and a fine for criminal damage in 2006 at age 20. He was admitted to an inpatient psychiatric unit the following year and detained under Section 3 of the Mental Health Act (MHA) 1983 after threatening his mother with a knife. Over the following ten years Mark was detained in a number of hospitals including a low secure unit. His primary diagnosis through this period was of a mild learning disability, with a secondary diagnosis of personality disorder and ADHD.

In 2014 it was determined by his clinical team that he was ready to 'step down' to a locked rehabilitation hospital setting to increase his level of independence. In September 2015 he was transferred to Bloomfield Hospital (while still detained under section 37 of the MHA). However within the first week he sexually assaulted a female patient, and over the following months it became clear that the hospital was unable to manage his needs and behaviours safely. During this period concerns raised by the Care Quality Commission (CQC) and commissioners ultimately led to the closure of the hospital, which was unable to demonstrate sustained improvement.

Different opinions emerged about what kind of setting Mark required and whether he needed a higher level of security again. During this period while the attempts were made by commissioners to find an alternative placement for Mark he was responsible for two further sexual assaults of fellow patients at the hospital and numerous physical attacks towards staff. Mark was re-assessed towards the end of his placement at Bloomfield and it was confirmed that he did not have a mild learning disability. His primary diagnosis was then confirmed as a personality disorder. Mark was transferred to an alternative locked rehabilitation hospital shortly before the closure of Bloomfield. Mark has maintained a close relationship with his mother and brother since his childhood. Mark currently remains in a hospital setting. He is now thirty years old and is single.

The Safeguarding Adults Review (SAR) identified two findings and following discussion at the Board actions were agreed against each of the findings. The actions agreed are system wide issues and as such are assigned to appropriate leads across the partnership by the Waltham Forest Safeguarding Adults Board. The action plan is monitored by the One Panel on behalf of the WFSAB and reported to the One Panel on a regular basis.

Finding 1:

The absence of requisite variety in the commissioning marketplace combined with the pressure to move people towards greater independence works against the positive ethos of the Transforming Care Agenda (management systems)

The national agenda to move this specific cohort of adults with learning disabilities and complex needs back into community settings remains a significant pressure. Local commissioners need to be adequately supported to generate creative ways forward.

'Requisite variety' within the marketplace is needed to effectively support the ambition of being able to commission personalised outcomes for adults with learning disabilities who have complex needs, and support the national strategic plans to significantly reduce the number of adults with learning disabilities living in hospital settings.

In order to be able to find ways of bringing those adults back to their home areas and offer them safe, good quality supported living opportunities, the local marketplace needs breadth and choice, and joint commissioning initiatives need to be explored as a part of that drive. The aim of achieving successful personalised outcomes currently remains difficult to achieve. A 'one size fits all approach cannot exhibit the flexibility required to supply the help that is needed' (Munro, 2010). The current marketplace in Waltham Forest is not yet able to offer sufficient options, either in relation to high quality care and support providers or in relation to the necessary housing.

Questions for the WFSAB:

- 1 Does the Board need further information about the nature and extent of the current challenges within the local commissioning marketplace impacting on outcomes for adults with learning disabilities and complex needs?
- 2 How would the Board wish to be assured that the multi-agency work (including joint commissioning) of the Transforming Care Programme is progressing effectively in Waltham Forest?
- 3 Does the Board think they have a role in providing strategic support to local health and social care commissioners in the work of achieving the necessary marketplace to deliver choice for adults with learning disabilities and their families?

Board response: The WFSAB will work with the Local Authority (LA) lead for the learning disability strategy to ensure that as part of the development process all learning disability provision is mapped to identify gaps, including provision in and out of the borough for those with complex needs to enable an understanding of provision for the Transforming Care Cohort which will include all people, those funded by the LA, care managed by mental health and funded by NHSE. The final draft of the learning disability strategy will be presented at the WFSAB for review.

Board response: The WFSAB has refreshed the WFSAB performance dashboard to include data on the Transforming Care Cohort which will ensure this is reported quarterly to the Board to identify any issues or trends and enable effective oversight.

Finding 2:

There is no coherent process for coordinating the management of social care led safeguarding enquiries and health led provider quality concerns in health settings when one triggers the other or they occur simultaneously. The absence of guidance results in different practice norms which affects the quality of the response to incidents.

The complex nature of managing safeguarding concerns/enquires and quality concern processes places significant demands on the system. Together with the lack of clear guidance to promote joined up processes and highlight the need for clear leadership results

often in professionals working in chaotic situations which in turns affects the quality of care and support provided to service users.

Questions for the board to consider

- 1 Does the Board recognise this description?
- 2 How does the Board expect Waltham Forest agencies to respond when safeguarding enquires are in process for Waltham Forest residents in host authorities?
- 3 What is the Board's expectation of how process should be managed if Waltham Forest is the host authority?
- 4 What influence can the Board provide locally, pan London and nationally regarding the lack of guidance in this area?

Board response: The Board recognises this description and is committed to working to improve practice. Work is in progress to develop a pathway for Adult Social Care to receive, screen and progress information related to quality in care and/or safeguarding adult concerns and a multi-agency policy on raising and responding to referrals, including in health settings. This work is part of the establishment concerns process, one of the Board priorities and the work underway to updated the safeguarding adults operational policies and procedures which are due to go live in September 2017.

Board response: The Board will develop a locally agreed position for Waltham Forest on the expectations of Waltham Forest Local Authority if it is the host authority or if it is required to work with a host authority. This should include that the host authority will alert the placing authority immediately of the safeguarding alert and seek any relevant contextual information. A decision needs to be made at this point on how best to respond as the situation may also involve other Local Authorities and a decision on who will take the lead is required if an establishment concerns process is required. In line with London Multi-Agency Adult Safeguarding Policies and Procedures the host authority would usually undertake the immediate safeguarding adult (SGA) enquiry while Waltham Forest as the placing authority would take responsibility for the implications on the longer term care plan for the individual. Guidance on this will be included in the new Waltham Forest SGA policies and procedures

In addition Local Authorities are to be invited to liaise with Waltham Forest Commissioning before placing with providers in the borough.

The expectations of other Local Authorities will be disseminated through a letter to all Local Authority Chief Executives and Directors of Adult Social Care in England and Wales by the WFSAB Chair.

Board response: The Association of Directors of Adult Social Services (ADASS) has issued guidance on responding to safeguarding enquires across multiple authorities but it is up to local areas to determine their own arrangements and there is currently no guidance for Clinical Commissioning Groups (CCGs) when a provider in their borough is inadequate but they do not have a commissioning relationship with that provider. The WFSAB Chair will escalate the gap in robust guidance to NHS England, London Safeguarding Adults Board and ADASS.

SAR Mark Action Plan 2017/18

This action plan will be monitored by the One Panel on behalf of the WFSAB.

Action	Lead
<i>Finding 1</i>	
<p>a) The WFSAB will work with the Local Authority lead for the learning disability strategy to ensure that as part of the development process all learning disability provision is mapped to identify gaps, including provision in and out of the borough for those with complex needs to enable an understanding of provision for the full Transforming Care Cohort which will include all people, those funded by the LA, care managed by mental health and funded by NHSE. The final draft of the learning disability strategy will be presented at the WFSAB for review.</p>	<p>Interim Strategic Commissioner – Learning Disabilities, LBWF Council</p>
<p>b) The WFSAB has refreshed the WFSAB performance dashboard to include data on the Transforming Care Cohort which will ensure this is reported quarterly to the Board to identify any issues or trends and enable effective oversight.</p>	<p>Strategic Partnerships Unit, LBWF Council</p>
<i>Finding 2</i>	
<p>a) The Board will develop a pathway for Adult Social Care to receive, screen and progress information related to quality in care or safeguarding adult concerns and a multi-agency policy on raising and responding to referrals, including in health settings.</p>	<p>WFSAB Establishments concerns task and finish group</p>
<p>b) The Board will develop a locally agreed position for Waltham Forest on the expectations of Waltham Forest Local Authority if it is the host authority or if it is required to work with a host authority. In addition Local Authorities are to be invited to liaise with Waltham Forest Commissioning before placing with providers in the borough.</p> <p>The expectations of other Local Authorities will be disseminated through a letter to all Local Authority Chief Executives and Directors of Adult Social Care in England and Wales by the</p>	<p>WFSAB Independent Chair</p>

Action	Lead
WFSAB Chair	
c) The WFSAB Chair will escalate the gap in robust guidance on responding to safeguarding enquires across multiple authorities, to NHS England, London Safeguarding Adults Board and ADASS.	WFSAB Chair

