

## SUMMARY OF CHANGES TO THE MULTI AGENCY ADULT SAFEGUARDING POLICY AND PROCEDURES – APRIL 2019

Page Insert: updated doc. Deleted: previous doc.	Section / heading	Change type	What has been inserted / deleted
Throughout document	Throughout document	Replaced	<p><b>Deleted:</b> Data Protection Act 1998</p> <p><b>Inserted:</b> General Data Protection Regulation (GDPR) Data Protection Act 2018</p>
Throughout document	Throughout document	Replaced	<p><b>Deleted:</b> OCU</p> <p><b>Inserted:</b> BOCU</p>
3	Forward and Acknowledgements	Updated	
4 - 7	Glossary and Acronyms	Inserted	<p>General Data Protection Regulation (GDPR) is a legal framework that sets guidelines for the collection and processing of personal information of individuals within the European Union (EU). The GDPR sets out the principles for data management and the rights of the individual, while also imposing fines that can be revenue-based. The GDPR came into effect across the EU on May 25, 2018 and its requirements are part of English law under the Data Protection Act 2018.</p> <p>MAPPA (Multi-Agency Public Protection Arrangements) are a set of arrangements to manage the risk posed by the most serious sexual and violent offenders (MAPPA-eligible offenders) under the provisions of sections 325 to 327B of the Criminal Justice Act 2003.</p> <p>Strategic Executive Information System (StEIS) Reporting a Serious Incident must be done by recording the incident on this system, which facilitates the reporting of Serious Incidents and the monitoring of investigations between NHS providers and commissioners. More information is available here.</p>

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4 - 7	Glossary and Acronyms	Deleted	<p>Organisational abuse 'is the mistreatment or abuse or neglect of an adult at risk by a regime or individuals within settings and services that adults at risk live in or use, that violate the person's dignity, resulting in lack of respect for their human rights.' (Care and Support Statutory Guidance, 2016)</p> <p>Position of trust refers to a situation where one person holds a position of authority and uses that position to his or her advantage to commit a crime or to intentionally abuse or neglect someone who is vulnerable and unable to protect him or herself.</p>
16	1.1.2 Risk Management	Inserted	<p>Where an individual is not able to protect themselves without support, the aim should be to support them to make their own informed decisions which preserve their safety. However, people involved in safeguarding need to acknowledge that there is a balance to be struck between risk and an individual's right to make their own informed decisions, even if others consider the decision to be unwise or puts the individual at risk. The importance of their right to make decisions about their own life, which is part of an individual's well-being, needs to be considered as well as the safeguarding concerns.</p>
17	1.1.3 Co-operation and Information Sharing	Inserted	<p>This co-operation and information sharing for safeguarding purposes is supported by all data protection legislation where there is a lawful basis, such as the Care Act, for sharing personal data and compliance with the Caldicott Principles will help to ensure that information sharing is justified and proportionate.</p>
15	1.1.3 Co-operation and Information Sharing	Deleted	<p>Section 7, the Care Act 2014 provides a new ability to request co-operation from a relevant partner or another local authority, in relation to an individual case. The local authority or relevant partner must co-operate as requested, unless doing so would be incompatible with their own duties or have an adverse effect on the exercise of their functions.</p>

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17	1.1.3 Co-operation and Information Sharing	Inserted	Local authorities and their relevant partners must respond to requests to cooperate under their general public law duties to act reasonably.
18	1.3 Values – Supporting adults at risk of abuse and neglect	Replaced	<p><b>Deleted:</b></p> <ul style="list-style-type: none"> <li>• Adults at risk should be given information, advice and support in a form that they can understand and be supported to be included in all forums that are making decisions about their lives. The maxim ‘no decision about me without me’ should govern all decision making;</li> </ul> <p><b>Inserted:</b></p> <ul style="list-style-type: none"> <li>• The adult at risk should be the primary focus of decision making, determining what safeguards they want in place and have support to explore options so that they can take, exercise and maintain choice and control over their own lives;</li> </ul>
22	2.2.1 Personal budgets and Personal Health budgets	Deleted	<p>Personal budgets and Personal Health budgets Regardless of the adult’s preferred method of managing a personal budget, the Local Authority still retains its duty of care with regard to the adult and their protection from abuse. Equally the Clinical Commissioning Group (CCG) will have responsibilities around the provision of personal health budgets.</p> <p>Personalised care planning can enhance good safeguarding practice, as they bring in people’s own resources and intelligence. Through empowering adults, organisations can help raise awareness of what is acceptable and use information from adults and their families to identify potential problems with providers.</p> <p>The kind of support available to adults managing their own care and support includes advice on:</p> <ul style="list-style-type: none"> <li>• Managing money;</li> <li>• Safe recruitment;</li> <li>• Safeguarding and dignity;</li> <li>• What to expect from services and individuals;</li> <li>• Using approved or accredited providers of employment services;</li> </ul>

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			<ul style="list-style-type: none"> <li>• Contractual issues;</li> <li>• Who to contact if things go wrong;</li> <li>• Guidance on mental capacity issues;</li> <li>• Guidance on deputyship and Lasting Power of Attorney.</li> </ul>
26	2.2.6 Risk factors (relevant to rough sleepers)	Insertion	<p>2.2.6 Risk factors (relevant to rough sleepers)</p> <p>There are a range of risks experienced by people living on the streets that expose them to a higher level of vulnerability to harm and abuse. A risk assessment tool designed to support front line practitioners can be found at pages 12 &amp; 13 .</p> <p>The risk factors identified in this tool highlight some particular risk issues that may be more prevalent amongst people who sleep rough.</p>
25	2.3 Types and indicators of abuse and neglect	Replaced	<p><b>Deleted:</b></p> <p>The Care and Support statutory guidance<sup>ii</sup> identifies types of abuse, but also emphasises that organisation should not limit their view of what constitutes abuse or neglect. The specific circumstances of an individual case should always be considered (also refer to Section 2.2 above). All three factors need to be satisfied for a safeguarding enquiry to be addressed in accordance with Section 42 of the Care Act. The table that follows identifies what forms of abuse are considered in the guidance documents.</p> <p><b>Inserted:</b></p> <p>There are 10 categories of abuse described within the Care and Support Statutory Guidance . These categories are expansive and cover a range of abusive situations or behaviours. It is important to recognise that exploitation is a common theme in nearly all types of abuse and neglect. The Statutory Guidance (para 14.17) states that:</p> <p>“Local authorities should not limit their view of what constitutes abuse or neglect, as they can take many forms and the circumstances of the individual case should always be considered; although the 3 stage criteria</p>

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			will need to be met before the issue is considered as a safeguarding concern”.
25	2.3 Types and indicators of abuse and neglect	Replaced	<p><b>Deleted:</b> Table of Description or Supporting Guidance</p> <p><b>Inserted:</b> Table of Description from Statutory Guidance and/or other supporting guidance</p>
29	2.4 Radicalisation	Replaced	<p><b>Deleted:</b> Radicalisation is comparable to other forms of exploitation, such as grooming and Child Sexual Exploitation. The aim of radicalisation is to attract people to their reasoning, inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their cause. This may be direct through a relationship, or through social media. There are a number of factors that may make the individual susceptible to exploitation by violent extremists. None of these factors should be considered in isolation but in conjunction with the particular circumstances of the individual. An assessment can be found here . Prevent is part of the Government's counter-terrorism strategy CONTEST and aims to provide support and re-direction to vulnerable individuals at risk of being groomed into terrorist activity before any crimes are committed. The Counter-Terrorism and Security Act 2015 requires specified authorities, in the exercise of their functions to have due regard to the need to prevent people being drawn into terrorism. The support available for individuals at risk of being radicalised is called Channel.</p> <p><b>Inserted:</b> Prevent is part of the Government's counter-terrorism strategy CONTEST and aims to safeguard and provide support to divert vulnerable individuals</p>

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			<p>at risk from being radicalised or groomed into supporting terrorist activity, before any crimes are committed. Radicalisation is comparable to other forms of exploitation, such as grooming and Child Sexual Exploitation. It is the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. Radicalisation is process rather than an event, and there is no single profile or pathway by which someone can be drawn into terrorism.</p> <p>There are instead a range of contributing factors including, peer pressure, bullying, family tensions, race/hate crime, lack of self-esteem or identity and personal or political grievances which can make people more vulnerable. Vulnerable individuals are often targeted and influenced by radicalisers either directly or increasingly in online chat rooms or through social media. The Counter-Terrorism and Security Act (2015) places a specific legal duty on specified authorities, including local authorities and health providers in the exercise of their functions, to have due regard to the need to prevent people being drawn into terrorism.</p> <p>Channel is a confidential, voluntary, multi-agency safeguarding process designed to support vulnerable children and adults who may be at risk of being radicalised and drawn into terrorist activity.</p> <p>It is an early intervention service which has been mandated in every local authority in England and Wales. Channel addresses all types of radicalisation including the extreme-</p>
30	2.4.1 Channel Panel	Replaced	<p><b>Deleted:</b></p> <p>The panel is a multi-agency panel chaired by the Local Authority to support individuals who have been identified as being groomed into terrorism. The role of the multi-agency panel is to develop an appropriate support package to safeguard those at risk of being drawn into terrorism based on an assessment of their vulnerability of being at risk of radicalisation. The purpose of the panel is to:</p> <ul style="list-style-type: none"> <li>• Assess the nature and extent of that risk; and</li> <li>• Develop the most appropriate support plan for the individuals concerned.</li> </ul>

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			<p>The panel is responsible for managing the safeguarding risk which is in line with other multi-agency panels where risk is managed, such as the Multi-Agency Public Protection Arrangements (MAPPA). Local safeguarding structures have a role to play for those eligible for adult safeguarding. Referrals to Channel are through the police engagement officer.</p> <p><b>Inserted:</b> A Channel Panel is chaired by the local authority and has multi agency involvement including from police, social services and health The panel works collaboratively to assess the nature and extent of the risk and, if necessary, provide an appropriate support package tailored to the vulnerable individual's needs. This is monitored closely and regularly reviewed. The care plan will vary according to the risk that has been identified, and may include targeted interventions (including faith guidance, counselling or diversionary activities) or access to specific services, such as health or education. Local safeguarding structures have a role to play for those eligible for adult safeguarding. Referrals to Channel can be made through the local authority Prevent lead or the local police Prevent engagement officer. The Channel Vulnerability Assessment is used by safeguarding professionals in the Channel Panel to identify specific factors which make some vulnerable to extremist messages and provide appropriate support as required. It should be read alongside the Channel Duty Guidance (2015) .</p>
31	2.6 Self-neglect	Inserted	<p>However, if self-neglect results from free and informed personal choice, where the adult is able to care for themselves but chooses not to, this is not a safeguarding issue.</p>
31	2.6.1 Hoarding	Replaced	<p><b>Deleted:</b> Hoarding does not fall under adult safeguarding but might be considered as safeguarding in the wider sense under the umbrella of prevention which is in the remit of the Safeguarding Adults Board</p>

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			<p><b>Inserted:</b> Hoarding may be an aspect of self-neglect.</p>
34	2.7 Pressure Ulcers	Replaced	<p><b>Deleted:</b> A diagram of the procedure to assist practitioners in determining if a pressure ulcer is due to neglect can be found in Appendix Five.</p> <p><b>Inserted:</b> This has been revised to take into account the guidance Safeguarding Adults Protocol: Pressure Ulcers and the Interface with a Safeguarding Enquiry, DOH&amp;SC January 2018</p>
33	2.9 Safeguarding Adult Review(s) (SARs)	Inserted	<p>The duty to arrange a SAR arises regardless of whether or not there has previously been an enquiry into the case by the Local Authority or by another agency, such as a Coroner, however, such an enquiry may identify that a SAR is required.</p>
35	2.9 Safeguarding Adult Review(s) (SARs)	Deleted	<p>SABs may arrange for a SAR in any other situations involving an adult in its area with care and support needs, whether or not they are being met by the Local Authority. The SAB may also commission a SAR in other circumstances where it feels it would be useful, including learning from 'near misses' and situations where the arrangements worked especially well. The SAB decides when a SAR is necessary, arranges for its conduct and if it so decides, implements the findings.</p>
35	2.9.5 The Adult	Inserted	<p>or representative</p>
37	2.9.9 Staff	Deleted	<p>All professionals should be fully involved in reviews and invited to contribute their perspectives without fear of being blamed for actions they took in good faith. Where an adult has died, professionals working with that adult should have the opportunity to discuss their feelings in a safe environment and offered counselling or other therapeutic support. Professional supervision may not be the most helpful means of exploring any fears or anxieties or coping mechanisms to enable professionals to take an objective view and learn from the SAR.</p>

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			<ul style="list-style-type: none"> <li>If the staff member is subject to a criminal investigation, consideration will need to be given to the timing of any SAR (see section 2.9.1 above).</li> </ul>
36	2.9.9 Staff	Inserted	However, certain disciplinary enquiries may lead to a criminal investigation. The decision to run a SAR alongside any disciplinary enquiry will be made on a case by case basis. The final decision will be made by the Independent Chair of the Safeguarding Adults Board.
38	2.9.12 Commissioning a SAR	Deleted	Whatever arrangements are in place, where there is agreement for a SAR, a SAR chair should be identified to co-ordinate arrangements. This would include key colleagues in the Police (Serious Crime Review Group).
37	2.9.12 Commissioning a SAR	Inserted	<ul style="list-style-type: none"> <li>How quality assurance will be managed;</li> </ul>
37	2.9.13 Links with other reviews and investigations	Inserted	All statutory agencies leading investigations following a death need to be aware of potential parallel inquiries, investigations and processes which may have been instigated as a result of the death
41	2.10.3 Multi-agency Public Protection Arrangements (MAPPA)	Replaced	<p><b>Deleted:</b></p> <p>The responsible authorities in respect of MAPPA are the Police, Prison and Probation Services who have a statutory duty to ensure that MAPPA is established in each of their geographic areas and to undertake the risk assessment and management of all identified MAPPA offenders. Other organisations have a duty to co-operate with the responsible authority, including the sharing of information. These include:</p> <ul style="list-style-type: none"> <li>Local Authority, children, family and adult social care services;</li> <li>NHS CCG's, other health trusts and the National Health Service Executive</li> <li>Jobcentre Plus;</li> <li>Youth offender teams;</li> <li>Local Housing authorities;</li> </ul>

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			<ul style="list-style-type: none"> <li>Registered social landlords with accommodation for MAPPA offender.</li> </ul> <p><b>Inserted:</b> MAPPA brings together the Police, Probation and Prison Service into what is known as the MAPPA Responsible Authority. The Responsible Authority has a statutory duty to ensure that MAPPA is established in its geographic areas and to undertake the risk assessment and management of all identified MAPPA offenders.</p> <p>A number of other agencies are under a 'Duty to Co-operate' with the Responsible Authority. These include Social Services, Health Services, Youth Offending Teams, Jobcentre Plus and Local Housing and Education Authorities. The Duty to Co-operate agencies are represented on the London Strategic Management Board (SMB), which is the means by which the Responsible Authority fulfils its duties under the Act. The London SMB has determined that Local Authority Adult Social Care Services should be a 'core member' of MAPPA. Where, in exceptional circumstances, attendance is not possible and where, by agreement with MAPPA, Adult Services are represented by Children's Services or Mental Health Services, that representative must also be able to obtain any relevant information from Adult Services where this is necessary.</p>
58	4.3.7 Feedback to people alleged to have caused harm	Inserted	<p>An evaluation should be carried out as to whether it is safe to share information about the complaint with the person allegedly responsible. If the adult at risk has capacity, their informed consent should be sought before sharing information with the person allegedly responsible. However, where the sharing of information to prevent harm is necessary, lack of consent to information sharing can be overridden. It may be a necessary part of a safeguarding enquiry to put information to the person allegedly responsible, where it has not been possible to obtain consent to this.</p>
60	4.3.11 Timescales	Inserted	The timescales need to reflect:

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			<ul style="list-style-type: none"> <li>All other investigations such as NHS Serious Incidents (SI)</li> <li>The investigation that takes priority – this needs to be agreed on a case by case basis</li> </ul>
61	4.3.11 Timescales	Inserted	<ul style="list-style-type: none"> <li>Respond to the referrer</li> </ul>
61	Stage 1: Concerns	Inserted	The adult does not need to be already in receipt of care and support.
64	Decision Making: Pre-Referral to the Local Authority	Inserted	This should include where the adult at risk is deceased or the alleged perpetrator is a professional.
64	Good Practice Guidance - Disclosure	Inserted	<ul style="list-style-type: none"> <li>Explain that you will respect their wishes where possible, but that referrals and actions can be taken without their consent. Tell them what action you will be taking.</li> <li>Document rationale for sharing</li> </ul> <p>consider the hazard within the risks and use a risk screening tool</p>
67	Stage 2 Enquiry	Inserted	There also needs to be a focus on multi-agency communication and consideration should be given on setting up a multi-agency planning group.
70	Objectives	Inserted	<ul style="list-style-type: none"> <li>Wider potential risk to other adults to be considered</li> </ul>
72	Planning an Enquiry under further Section 42 duties	Inserted	Local authorities and their relevant partners must respond to requests to cooperate under their general public law duties to act reasonably.
77	Support networks	Deleted	<p>A multi-agency approach to risk should aim to:</p> <ul style="list-style-type: none"> <li>Prevent further abuse or neglect;</li> <li>Keep the risk of abuse or neglect at a level that is acceptable to the person and;</li> <li>Support the individual to continue in the risky situation if that is their choice and they have the capacity to make that decision.</li> </ul>
75	Standards and Analysis	Inserted	In reaching this decision, the Local Authority may wish to consult partner organisations involved in the enquiry.
76	People in a position of trust	Inserted	If someone is removed from their role providing regulated activity following a safeguarding incident the regulated activity provider (or if the

Page Insert: updated doc. Deleted: previous doc.	Section / heading	Change type	What has been inserted / deleted
			person has been provided by an agency or personnel supplier, the legal duty sits with them) has a legal duty to refer to the Disclosure and Barring Service (DBS). The legal duty to refer to the DBS also applies where a person leaves their role before a disciplinary hearing has taken place following a safeguarding incident and the employer/volunteer organisation feels they would or might have dismissed the person based on the information they hold.
85	5.4.3 Duty of Candour	Inserted	under regulation 20 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
85	5.4.8 Suspension of staff pending enquiry outcomes	Inserted	The importance of employers complying with their duties to notify the Disclosure Barring Service (DBS) be noted. In particular, the legal duty to refer to the DBS applies where a person leaves their role before a disciplinary hearing has taken place following a safeguarding incident and the employer/volunteer organisation feels they would or might have dismissed the person based on the information they hold.
94	Quality and Safeguarding Information Panels	Inserted	through early warning systems
96	Risk	Inserted	or a community fire safety advisor to identify fire risks and provide adequate smoke detection in the property.
104	Appendix Two: Information Governance	Inserted	<ul style="list-style-type: none"> <li>General Data Protection Regulation (GDPR)</li> </ul>
109	Training	Inserted	7. Lawful handling and sharing of personal information
121	SAB	Deleted	NHS England continues to work with London SAB Chairs network to produce safeguarding audits that supports organisations to self-assess against safeguarding standards. This is a voluntary audit.
111	Local Safeguarding Children Board (LSCB)	Inserted	These will be replaced with Safeguarding Children Partnerships
125	The Coroner	Deleted	Coroners must undertake an investigation where a person has died who was subject to a Deprivation of Liberty

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130	London Fire Brigade	Deleted	Deputy
134	Appendix Five – Decision Pathway – Pressure Ulcers and safeguarding Adults	Deleted	Appendix deleted
123 - 164	Appendix Six: Data Sharing Agreement	Inserted	Appendix inserted