



## Milton Keynes Safeguarding Adults Multi Agency Policy & Procedures

(April 2014 Policy – updated July 2016)

**Purpose: To set the policy for the Safeguarding Adults process in Milton Keynes. This Policy must be read and implemented in conjunction with:**

- Safeguarding Adults Practice Guide
- Serious Case Review Policy
- Deprivation of Liberty Safeguards Policy and Practice Guidance

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Safeguarding Adults Board Agencies represented:	Milton Keynes Council – Adult Social Care Services Milton Keynes Clinical Commissioning Group Milton Keynes Hospital NHS Foundation Trust, CNWL-MK (Central & North West London Foundation Trust – Milton Keynes) Thames Valley Police Thames Valley Probation Service, NHS England

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<b>For use in ( service area)</b>	Adult Social Care and Health Services
<b>For use by</b>	Members of the public and all staff who work with vulnerable people including Private and Voluntary Sector Providers
<b>Distribution:</b>	- This policy will be made generally available via Milton Keynes Council website - Board Members are responsible for ensuring that information regarding this update is circulated within their agency.



Milton Keynes Community Health Services

<b>Change History / Cancellations</b>	<b>Reason for obsolescence</b>
Milton Keynes Safeguarding Adults Policy and Procedures. June 2015	The policy has been checked and reissued to ensure that it complies with the updated Statutory Guidance to the Care Act (March 2016), no changes have been made; it is not a full review and has not changed the safeguarding process.
Milton Keynes Safeguarding Adults Policy and Procedures. April 2014	Updated and replaced June 2015. N.B. This is an update of the policy to ensure that it complies with the Care Act 2014; it is not a full review and has not changed the Safeguarding process.
Milton Keynes Safeguarding Adults Policy and Procedures. April 2012	Reviewed and replaced by this version
Milton Keynes Safeguarding Adults Policy and Procedures. January 2010	Reviewed and replaced by April 2012 version
Milton Keynes Area Adult Protection Committee Safeguarding Vulnerable Adults Policy and Procedures. January 2007	Reviewed and replaced by - Milton Keynes Safeguarding Adults Policy and Procedures. January 2010
Milton Keynes Area Adult Protection Committee Milton Keynes Area Safeguarding Vulnerable Adults Policy and Procedures. January 2003	Reviewed and replaced by - Milton Keynes Area Adult Protection Committee Milton Keynes Area Safeguarding Vulnerable Adults Policy and Procedures. January 2007

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N.B. Within this policy links to other documents are shown in blue bold typeface

## Part A. Policy and Context

### Section 1. Introduction and aim.

- 1.1 This document updates the Milton Keynes Safeguarding Adults Policy 2014 to reflect changes introduced by the Care Act 2014, to be implemented April 2015.
- 1.2 The Act introduces a NEW LEGAL DUTY for the Local Authority which MUST, if it believes an adult is subject to, or at risk of, abuse or neglect, make enquiries or ensure that others do so. The enquiry should establish whether any action needs to be taken to stop or prevent abuse or neglect, and if so, by whom.
- 1.3 The Care Act Statutory Guidance (Section 14) gives an illustrative guide of the sort of behaviour which can lead to a Safeguarding concern.
  - 1.3.1 The types of abuse recognised have been revised from previous guidance to include 'Self Neglect' and 'Modern Slavery', it also changes the term 'Institutional Abuse' to 'Organisational Abuse'.

### Section 2. Policy Statement and Scope.

- 2.1 Milton Keynes Council, as the responsible agency, will establish and manage a Milton Keynes Safeguarding Adults Board (MKSAB). The Board will have a core membership of the Local Authority, Police and the NHS (Clinical Commissioning group) it will also invite representatives from key local agencies. The Board:
  - is the strategic lead body for safeguarding, and its overriding objective is to 'prevent and reduce the risk of significant harm to adults from abuse or other types of exploitation, whilst supporting individuals in maintaining control over their lives and in making informed choices without coercion'.
  - sets out the strategic direction for multi-agency developments and holds partner agencies to account, whilst always recognising that safeguarding is not just reacting when concerns are raised, but it is developing a culture where good practice is promoted, and where safeguarding is everybody's business.
  - will ensure all partner organisations maintain a clear organisational and operational focus on safeguarding adults; ensuring relevant statutory requirements and other national standards are met.
- 2.2 Safeguarding Adults Board members will be required to
  - sign a memorandum of understanding to formalise agreement to the Board Strategy, the Safeguarding Adults Policy and Safeguarding Adults Practice Guidance
  - establish a Designated Safeguarding Manager within their organisation
- 2.3 *The Board's Strategy* and the Safeguarding Policy and Procedure will be underpinned by the six key principles of Adult Safeguarding:
  - **Empowerment** – *presumption of person led decisions and informed consent*
  - **Prevention** – *it is better to take action before harm occurs*
  - **Proportionality** – *proportionate and least intrusive response appropriate to the risk presented.*
  - **Protection** – *support and representation for those in greatest need*
  - **Partnership** – *Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse*
  - **Accountability**- *Accountability and transparency in delivering safeguarding*

[Ref Care Act Statutory Guidance Section 14.13](#)
- 2.4 Actions in relation to safeguarding must protect the adults autonomy and be based on the premises that:
  - all adults have the right to live a life free from abuse
  - empowering adults to self- determine may involve risk.

All interventions must take into account the ability of adults to make informed choices about the way they want to live and the risks they want to take. This includes their ability:

  - to understand the implications of their situation
  - to take action themselves to prevent abuse
  - to participate to the fullest extent possible in decision-making about interventions

- 2.4.1 Practice must be person centred and aim to achieve the outcomes which the individual wants
- 2.4.2 Where an individual has substantial difficulty in being involved in the Safeguarding process, and there is no one suitable to support them, the Local Authority must arrange an Independent Advocate to represent and support them.
- 2.5 Actions in relation to safeguarding must consider if the adult at risk has the mental capacity to make informed choices about their own safety and how they live their lives.
- 2.5.1 If the individual has mental capacity their views should be sought in relation to whether they give informed consent to:
- An activity that may be abusive – if consent to abuse or neglect was given under duress (e.g. as a result of exploitation, pressure, fear or intimidation), this apparent consent should be disregarded.
  - A Safeguarding Adults investigation/assessment going ahead in response to a concern that has been raised.
  - The recommendations of an individual protection plan being put in place.
  - A medical examination.
  - An interview
  - Certain decisions and actions taken during the Safeguarding Adults process with the person or with people who know about their abuse and its impact on the adult at risk.
- 2.5.2 If, after discussion with the adult at risk who has mental capacity, they refuse any intervention, their wishes will be respected unless:
- there is an aspect of public interest (e.g. not acting will put other adults or children at risk)
  - there is a duty of care on a particular agency to intervene for example the police if a crime has been or may be committed
- Where an adult at risk with capacity has made a decision that they do not want action to be taken they must be given information and have the opportunity to consider all the risks and fully understand the likely consequences of that decision over the short and long term.
- 2.5.3 All decisions must comply with the Mental Capacity Act (2005) which provides a statutory framework to empower and protect people who may lack capacity to make decisions for themselves and establishes a framework for making decisions on their behalf. This applies whether the decisions are life-changing events or everyday matters.
- 2.5.5 All decisions on care and treatment must comply with the Mental Capacity Act and the Deprivation of Liberty Safeguards (DoLS) codes of practice which provide protection to people in hospitals and care homes. DoLS apply to people who have a mental disorder and who do not have mental capacity to decide whether or not they should be accommodated in the relevant care home or hospital to receive care or treatment. Care homes and hospitals must make requests to a local authority supervisory body for authorisation to deprive someone of their liberty if they believe it is in their best interests.. Sometimes, for example in the case of serious dispute with the person's family, it is necessary for local authorities to apply to the Court of Protection.
- 2.6 This policy will be supported by a Practice Guide which will provide detailed guidance to Safeguarding Officers, Safeguarding Senior Practitioners and Safeguarding Managers.

### Section 3. Relevant Legislation and Documents.

- 3.1 Law.
- [Care Act 2014](#)
  - [Mental Capacity Act 2005](#)
  - [Mental Health Act 2007 Deprivation of Liberty Safeguards](#)
- 3.2 Local Authority Circulars/Government Guidance.
- [Care Act 2014 Statutory Guidance](#)
- 3.3 Milton Keynes Corporate Policies and Standards
- Safeguarding Children and Adults. Corporate Policy Statement
  - Confidential Reporting

- 3.4 Milton Keynes Adult Social Care Policies, Procedures and Standards
- Mental Capacity Act 2005 Policy
  - Deprivation of Liberty Safeguards Policy
  - Safeguarding Adults Review Policy
  - Serious Quality Concerns, Provider Failure and Service Interruptions Policy.
  - Information Sharing Protocol
- 3.5 Milton Keynes Clinical Commissioning Group [Safeguarding Adults \(Commissioning\) policy](#)
- 3.6 NHS England [Safeguarding vulnerable people in the reformed NHS: accountability and assurance framework](#)
- 3.7 Department of Health [Safeguarding Adults: the role of health services April 2011](#)

#### Section 4. Definitions.

- 4.1 The definitions used in this policy will follow the definitions with the Care Act 2014 and associated Guidance.

### Part B. Procedures

*N.B: These procedures describe the actions that should be followed by an individual who is concerned about abuse and detail how they should raise an alert.*

*Safeguarding Screening and investigation are carried out by specialist safeguarding staff employed by Adult Social Care and Health; the details for these are set out in the separate Practice Guide.*

#### Section 5. Abuse is suspected, observed or disclosed.

- 5.1 Any member of the public, friend, carer, relative or paid worker may become aware of or concerned about abuse in several ways.
- **Observed Abuse:** the abuse has been directly witnessed.
  - **Disclosed Abuse:** an adult says they are being or have been abused
  - **Suspected Abuse:** there are indicators that abuse is happening, but it has not been witnessed or disclosed.
- 5.2 If a situation causes concern but it is not clear if abuse has occurred or is happening these concerns can be discussed with
- Adult Social Care, Access Team (ASCAT) Tel: 01908 253772 fax : 01908 253185 (For out of hours contact the Emergency Social Work Team Tel: 01908 605650)
  - The Regulatory Authority - The Care Quality Commission. Tel: 03000 616161.
  - Thames Valley Police Protecting Vulnerable people Unit (PVP Unit) Tel - 01296 39650

#### Section 6. Safeguarding Immediate Risk

- 6.1 The first action is to ensure the **immediate safety of the adult at risk.**
- 6.1.1 **If there is an immediate risk of harm or need for treatment the police and/or the ambulance service should be contacted on 999.** Staff in all agencies must be authorised to do this to avoid delay in dealing with situations which may be construed as negligent and as a failure of their duty of care
- 6.1.2 If a crime is suspected or alleged the police should be informed:
- in the case of an emergency via the 999 number,
  - in non-emergency situations via the 101 number.

#### Section 7. Making a Safeguarding Adult Alert

- 7.1 The second action is to contact Milton Keynes Council Adult Social Care.
- 7.1.1 **Members of the public** may report concerns of abuse or suspected abuse
- by telephone to Adult Social Care Access Team (ASCAT) Tel: 01908 253772 during working hours 9-7 Monday-Friday (excluding bank holidays)

- For out of hours contact the Emergency Social Work Team Tel: 01908 705750
- via [www.milton-keynes.gov.uk/safeguardingadults](http://www.milton-keynes.gov.uk/safeguardingadults) where you will receive an email acknowledgement once the form has been submitted. If you do not receive an acknowledgement email please phone the relevant number above to check the form has been received.
- by fax : 01908 253185
- in person or in writing to: ASCAT, Civic Offices, Saxon Gate East, Central Milton Keynes, MK 9 3 EJ

7.1.2 All health and social care **employed staff**, including staff in the private and voluntary sector, must make an alert **within 24 hours** or sooner depending on urgency and risk. The alert **must** be made **in writing** using the **Safeguarding Adult Alert, SABR1** form available on [www.milton-keynes.gov.uk/safeguardingadults](http://www.milton-keynes.gov.uk/safeguardingadults) .

- 7.2 If the concern is regarding a person under 18 please contact Milton Keynes Council Children's Services on 01908 253169 or 253170. Guidance for reporting concerns regarding children can be found through [Milton Keynes Council web pages](#)
- 7.3 Regulated services such as care homes and domiciliary care services also have a legal duty under the Health and Social Care Act 2008 to report concerns about the welfare of adults to the regulatory body.
- 7.4 Organisations **MUST** have their own internal procedures to ensure concerns are recognised at an early stage and which set out when situations should be passed outside their own agency and into the safeguarding process.
- 7.4.1 These procedures usually instruct workers to report concerns to their immediate manager or a senior manager who is then responsible for making a safeguarding alert. There should be a process for emergency communication and support from senior managers. However, alerting Adult Social Care must not be delayed, and must be made within 24 hours.
- 7.5 If a worker:
- Is concerned that their manager(s) or proprietor(s) may be implicated,
  - Thinks their concerns will not be taken seriously
  - Fears intimidation
  - Has an immediate concern for their own or a service user's safety.
- They should report their concerns directly to Adult Social Care and/or the Regulatory Body. These "Whistle-blowers" should know how to access support and to protect their own interests, each organisation will have their own Whistleblowing policy. Workers should be aware that their anonymity will be respected but cannot be guaranteed especially if their information becomes an essential part in any subsequent legal proceedings.
- 7.7 Following the alert a decision will be made by the Safeguarding Team in relation to whether a Safeguarding Investigation is required or whether support should be provided in another way – for example by a review or assessment by a social worker.

## Part C. Operational Issues

### Section 8. Roles and Responsibilities

- 8.1 Everyone has a responsibility to report abuse or concerns of abuse.
- 8.2 The Safeguarding Adults Board is responsible for overseeing the implementation, monitoring, evaluation and development of the Milton Keynes Multi-Agency Safeguarding Adults Policy and Procedures.
  - 8.2.1 Each organisation represented on the board retains responsibility for their statutory functions and responsibilities.
  - 8.2.2 The local authority is responsible for the co-ordination of safeguarding adult abuse interventions but the police are responsible for investigating any suspected criminal offences. Local authorities and the police are expected to sign up to locally agreed safeguarding adult procedures.
- 8.3 The particular roles and tasks of the Safeguarding Manager, the allocated Safeguarding Officer and the Safeguarding Senior Practitioner for Safeguarding Adults and Deprivation of Liberty are set out in the Practice Guidelines.
  - 8.3.1 Some tasks expected of the Safeguarding Manager and Safeguarding Officer may overlap but the Safeguarding Manager retains ultimate responsibility for ensuring all are completed as required.
  - 8.3.2 In circumstances where it is felt that a Safeguarding Adults Review (including Serious Case Review) may be required, the member of staff should refer to the [Procedure and Guidelines on Serious Case Review](#).

### Section 9. Recording Requirements.

- 9.1 It is vital that all information, discussions and actions relating to a safeguarding alert, referral and investigation are recorded.
- 9.2 Safeguarding records should be stored as part of the adult's case record with the local authority's recording system being the primary source for safeguarding data.
  - 9.2.1 Access to safeguarding records must be restricted on a 'need to know' basis, through agreed access arrangements, following the organisations information governance procedures.
  - 9.2.2 Where the Safeguarding Alert or referral relates to a member of staff as either alleged victim or perpetrator there must be additional access restrictions. A request should be made to the Safeguarding Adult Manager and the FrameWorki Administrator when such restricted access is required.
- 9.3 A series of standard letters and forms accompany this policy and the associated practice guidance. These must be used as detailed, In this policy the relevant form is the **Safeguarding Adult Alert, SABR1** refer to Section 7.1.2.
  - 9.3.1 A standard Safeguarding Workflow is available for Adult Social Care Staff as part of the Adult Social Care Electronic Record (ESCR) system. This workflow **MUST** be used to record Safeguarding processes.

### Section 10. Training Implications.

- 10.1 Milton Keynes Safeguarding Adults Board Training and Educational Development Subgroup will have as part of its work plan a commitment to ensure that the training needs of staff within the Council and statutory partners are focused towards prevention, support and timely intervention.
- 10.2 All staff need to receive the appropriate safeguarding training for their role, however the level of training that a staff member has received (or not) would not negate their responsibility to report abuse.

**Part D. Quality Standards, Monitoring and Review**

**Section 11. Quality Standards.**

11.1 The Safeguarding Adults Board will monitor the effectiveness of safeguarding adults through the establishment of working sub groups: Training and Educational Development; Quality Assurance and Serious Case Review; Communications and Stakeholder Engagement and any other task and finish groups that may be required.

**Section 12. Equality Impact Assessment**

12.1 This policy could affect different groups of people in the following ways.

Racial/ethnic groups	No differential impact
Religious/belief groups	No differential impact
Gender & marital status groups	No differential impact
Disability groups	See comments below
Sexual orientation groups	No differential impact
Age groups	See comments below

12.2 It is probable that the procedures within this policy will be most applicable for disabled and older service users where issues of vulnerability are more frequent. All safeguarding alerts will be considered on an individual basis and will identify the particular situation and the action to be taken specific to the individual.

12.3 Appropriate and proportionate use of safeguarding processes will be managed through the Safeguarding Adults Board via the regular quality audits carried out by the Quality Assurance and Serious Case Review Subgroup.

**Section 13. Monitoring and Review**

13.1 The Safeguarding Adults Policy and Procedures will be monitored and reviewed as required in response to national guidance and Law and at least 3 yearly.

13.2 The Quality Assurance and Serious Case Review Subgroup will regularly audit safeguarding alerts, referrals and interventions and communicate operational practice issues to the Safeguarding Adults Board.