

Board of Directors (in Public)

Item 2.9

Subject: Safeguarding Annual Report 2018/19
Date of meeting: 30th July 2019
Prepared by: Joanne Shaw, Head of Nursing, Quality and Safeguarding
Presented by: Sue Pemberton, Director of Nursing & Operations

Purpose of report: For noting

BAF Ref	1.1, 1.2
Impact on BAF	None

1. Introduction

The purpose of this annual report is to provide assurance to the Board of Directors that appropriate safeguards are in place to protect adults and children in Liverpool Heart and Chest Hospital. This includes ensuring that mental capacity, Deprivation of Liberty Safeguards, learning disabilities and dementia awareness are considered and that staff in the organisation are aware of their responsibilities in these areas and their role in safeguarding patients. This report refers to the period 1st April 2018 – 31st March 2019. In addition, the report identifies the Trust's progress on meeting national and local priorities and identifies key objectives for further development in the year to come. The annual report covers the national policy context and describes how this has been transferred into local practice.

As an NHS Foundation Trust, Liverpool Heart and Chest Hospital [LHCH] has a duty to ensure robust systems are in place to appropriately safeguard those who require it. This includes adults at risk, children and young adults who may be at risk from abuse (be it from their patients, visitors or children of patients or staff members). Over the 2018/19 year LHCH has endeavoured to continue to raise the importance of safeguarding for patients and their families to ensure that safeguarding is everyone's priority.

LHCH has introduced measures at all levels to ensure that it is doing everything it can to prevent the abuse or neglect of the people and their carers who use the Trust services. LHCH has now established processes, by way of the Trust's Protecting Adults at Risk - Safeguarding Adults Policy, Safeguarding Adults and Children's training for Safeguarding Ambassadors and safeguarding referrals via EPR. The Trust ensures there is a timely and proportionate response, when allegations of abuse or neglect are raised.

2. National Context

A number of reports and guidance have been published to support the existing legislation to ensure further development in the field of safeguarding continues and ensures

sustained support in achieving safeguarding for all client groups who may be at risk of abuse.

These include but are not limited to:

The Mental Capacity Act (2005) introduced a legal framework for protecting the welfare and finances of vulnerable adults who lack mental capacity, creating the criminal offences of ill treatment and wilful neglect.

2.1 The Care Act (2014)

The Care Act has, for the first time, placed Safeguarding Adult Boards on a statutory footing and put in place specific requirements for both the membership of the Board as well as its role and function moving forward. The Act aims to create a legal framework so that key organisations and individuals with responsibilities for adult safeguarding, can agree on how they must work together, and what roles they must play, to keep adults at risk safe.

2.2 Monitoring the use of the Mental Capacity Act [MCA] and Deprivation of Liberty Safeguards [DoLS]

A national report for MCA and DoLS recognised that over the previous years since the introduction of the MCA, the recurring themes included persistently low numbers of DoLS applications and lack of understanding and awareness of the MCA, as a potential barrier to good practice.

However, March 2014 was a watershed in the history of the MCA including DoLS and marked the start of major changes to the way the safeguards are used. The House of Lords highlighted the need to improve understanding of the MCA, while the Supreme Court judgement clarified the definition of when people are being deprived of their liberty. This element has had an impact in LHCH and since this new legislation we have seen increasing numbers of referrals for DoLS applications year on year. The new Liberty protection safeguards legislation is currently under review with the law society and the process is expected to change dramatically over the next twelve months with a greater emphasis on the hospitals undertaking more responsibility for the assessment process.

2.3 Essential Standards

Guidance about compliance: Essential Standards of Quality and Safety (CQC, March 2015) is designed to help providers of health and adult social care to comply with the Health and Social Care Act (2008), (Regulated Activities) Regulations 2014, and the CQC (Registration) Regulations 2009. These are the fundamental standards - the standards below which care must never fall. Regulation 13 relates to safeguarding service users from abuse and improper treatment and Regulation 18 relates to notification of other incidents.

Some of these national drivers are referenced throughout this document and are aligned to the work that LHCH has undertaken in response to the documents.

3. Safeguarding Team Structure

The Safeguarding Team is now fully established, comprising of:

- Named Doctor for Safeguarding Adults - Dr Petra Jenkins
- Named Doctor for Safeguarding Children - Dr Derick Todd
- Head of Nursing ,Quality and Safeguarding Adults and Children - Joanne Shaw
- Named Nurse for Safeguarding – Angela McKenna
- Administrator to support DoLS applications (0.2 WTE / 1 day per week)
- Safeguarding Ambassadors

3.1 Governance Structure

The Head of Nursing, Quality and Safeguarding represents the Trust at local Safeguarding Adult and Children's health sub groups, MCA and DoLS Forum and CSE working group.

The Safeguarding Group meets bi-monthly and is chaired by the Trust's Head of Nursing, Quality and Safeguarding. The Terms of Reference and membership have been reviewed in 2018 to incorporate training requirements.

The Safeguarding Annual Key Performance Indicators [KPIs] 2018/19 were developed by the Clinical Commissioning Group to identify the key priorities and actions for the Safeguarding Team. The progress of the work plan is reviewed at quarterly meetings and is for closure in March 2019.

The KPIs for 2019/20 are now with the Trusts for review and they are similar to those from 2018/19. We are on target for meeting all our KPI objectives for the year.

3.2 Safeguarding Adults Strategy 2016-2019

The safeguarding adult agenda remains a high priority within LHCH to ensure safe and effective care is provided to the patients that use the services. LHCH developed a Safeguarding Adults Strategy in 2016 that links to the KPIs of the Trust. A new strategy for the next three years will be developed in line with new legislation (Liberty Protection safeguards) for MCA and DoLS that we have been anticipating from the law commission since 2018 and has very recently been published.

3.3 Safeguarding – Policies

- Safeguarding Adults Supervision Policy was updated in Feb 2019. The purpose of this Policy is to provide a framework for practice which outlines the principles and functions underpinning supervision within the context of safeguarding across LHCH. The Policy provides specific guidance on the development and implementation of support and safeguarding supervision within LHCH
- Mental Capacity Act (2005) Policy was updated in 2018 to provide staff with guidance on how to implement the MCA in practice
- Deprivation of Liberty Safeguard Policy was also developed in 2015 and was updated in 2017 with legislation for 16/17 year olds. The Policy strengthens the guidance provided in the Trust's Protecting Adults at Risk Policy
- Chaperone Policy was also updated in 2018
- Domestic Violence policy was updated in 2018
- Hand Control Mittens in Adult Patients Policy has been updated in 2018
- Trust's Protecting Adults at Risk Policy was updated in 2018

- Managing Allegations of Staff Policy was developed and approved in 2016 and updated in 201
- Safeguarding Children's Policy was also updated and approved in 2018 to include the newly mandated elements that all trust are expected to comply with.

4. Training and Education

LHCH is committed to ensuring that all staff receive the correct level of training, to ensure adults and children at risk, receive the right care and are safe, whilst in our care. The organisation also promotes an interagency approach to training and development in relation to adults at risk.

Safeguarding training contributes to the achievement of the CQC Fundamental Standards.

The whole day Safeguarding Ambassador training module commenced in November 2015 and continues bi monthly. The programme has been amended to incorporate PREVENT and domestic violence.

This year we have been further developing some of the Ambassadors and 5 staff attended the National Safeguarding Conference for further enhance and support their role in the clinical areas

4.1 Training figures for 2018/10

During the reporting period LHCH worked towards achieving compliance for all levels of Safeguarding Children's and Adults training.

Each Division is responsible for monitoring and maintaining training compliance for their staff groups. Training compliance is readily accessible for individual staff and managers to view by the electronic reporting system and the Athena web portal. LHCH compliance for year ending March 2019 is outlined in tables 1 - 4 below. Two areas of red are currently being monitored and an action plan is in place.

Table 1

SAFEGUARDING ADULTS ASSURANCE STAFF TRAINING	STA_01	Level 1 Adult Safeguarding Training for all staff (Bournemouth Competencies, 2015)	Percentage of staff who have had training within the past 3 years (to include denominator and numerator) in line with Trust TNA	90%	90%	Quarterly		1375	1401	98.1%
	STA_02	Level 2 Adult Safeguarding Training - eligible cohort of staff (Bournemouth Competencies, 2015)	Percentage of overall identified cohort of staff who have had training within the past 3 years (to include denominator and numerator) in line with Trust TNA	90%	90%	Quarterly		1077	1149	93.7%
	STA_03	Level 3 Adult Safeguarding Training - eligible cohort of staff (Bournemouth Competencies, 2015)	Percentage of overall identified cohort of staff who have had training within the past 3 years (to include denominator and numerator) in line with Trust TNA	90%	90%	Quarterly		73	73	100.0%
	STA_04	Level 4 Adult Safeguarding Training - for all relevant staff (Bournemouth Competencies, 2015)	TNA Q1: Compliance to be measured Q4 - Percentage of overall identified cohort of staff who have had training within the past 3 years (End of year count include numerator and	90%	90%	Quarterly		1	1	100.0%
			Click Here to Refer to Guidance Document 2	90%						Do not input to this cell use Num and Denom
SAFEGUARDING CHILDRENS'S TRAINING	STC_01	Level 1 Training for all staff (Intercollegiate Document Safeguarding March 2014; Intercollegiate Doc CIC/LAC 2015)	Percentage of Staff who have had training within the past 3 years (to include denominator and numerator) in line with Trust TNA	90%	90%	Quarterly		1117	1117	100.0%
	STC_02	Level 2 Training for all relevant staff (Intercollegiate Document Safeguarding March 2014; Intercollegiate Doc CIC/LAC 2015)	Percentage of Staff requiring training who have completed the training within the past 3 years (to include denominator and numerator) in line with Trust TNA	90%	90%	Quarterly		971	1138	85.3%
	STC_03	Level 3 Training for all relevant staff (Intercollegiate Document Safeguarding March 2014; Intercollegiate Doc CIC/LAC 2015)	Percentage of Staff requiring training who have completed the training within the last 3 years (to include denominator and numerator) in line with Trust TNA	90%	90%	Quarterly		73	73	100.0%
	STC_04	Level 4 Training for all relevant staff (Intercollegiate Document Safeguarding March 2014; Intercollegiate Doc CIC/LAC 2015)	Percentage of Staff requiring training who have completed the training within the last 3 years (to include denominator and numerator) in line with Click Here to Refer to Guidance Document 2	90%	90%	Quarterly		1	1	100.0%
	STA_C1	Executive /Board Training	Percentage of Executive/Board members who have completed safeguarding Children's and Adult Training in accordance with Intercollegiate Documents (Intercollegiate Document Safeguarding Children March 2014; Intercollegiate Doc CIC/LAC 2015, Intercollegiate Document Adults, March 2016)	90%	90%	Quarter 4		8	8	100.0%

SPECIFIC SAFEGUARDING TRAINING	STS_01	Prevent Strategy/Awareness Training	Percentage of overall Staff who have received Prevent Awareness training in the last 3 years (to include denominator and numerator) Compliance to be monitored each quarter with a trajectory of 90%		90%	Quarterly		1358	1560	87.1%
	STS_02	Prevent Strategy/Health Wrap Training	Percentage of overall identified cohort of staff who have received Prevent Wrap training within the past 3 years (to include denominator and numerator) Compliance to be monitored each quarter with a trajectory of (2017-2018) 90% by year end	90%	90%	Quarterly		1193	1317	90.6%
	STS_03	Mental Capacity Act & Deprivation of Liberty Safeguards (2005)	Percentage of overall identified cohort of staff who have received Mental Capacity Act and Deprivation of Liberty Safeguards training within the past 3 years (to include denominator and numerator) in line with Trust TNA	90%	90%	Quarterly		1104	1186	93.1%

4.3 Dementia Training

LHCH has continued to work with the Liverpool Dementia Action Alliance Charter and a local working group in the delivery and development of dementia training. This group comprises of individuals and organisations that all have the aim of working together, to raise awareness of dementia. This includes encouraging timely diagnosis, supporting those living with dementia and their carers, and working towards making Liverpool dementia friendly, whilst also raising care standards for people with dementia and reducing incidents of abuse and neglect. The Dementia Lead Nurse (The Head of Nursing, Quality and Safeguarding) has successfully met the target of clinical staff to attend Dementia Awareness training (Dementia DO) incorporating Dementia Friends. Training continues to be available to all staff as a mandated requirement for 2018/19 and patients and their families as well as local community groups.

4.4 PREVENT

NHS organisations are required to provide awareness raising sessions for staff about PREVENT which aims to stop people becoming terrorists or supporting terrorism. It is recognised that vulnerable individuals may be targeted for recruitment into violent extremism and this is therefore a safeguarding issue in the context of the wider responsibility of all agencies to safeguard and promote welfare.

The training target set by NHS England re PREVENT WRAP is 85% which is a national target for WRAP (level 3) training. The CCG's have set a target of 90%. In 2018/19, the organisation achieved 90.5% of eligible staff trained.

To ensure maximum coverage with the training, the face to face sessions are continuing for the foreseeable future. Communications are continuing to raise awareness of the requirement for eligible staff to complete the training.

5. Monitoring & Analysis of Safeguarding Data

5.1 Safeguarding Contacts

- During 1st April 2018 - 31st March 2019 there were a total of 964 safeguarding contacts made to the team via email, phone and EPR. The most common referral is for domestic violence, neglect and Mental Capacity Assessments. Further work is currently being undertaken to look at the referral processes and how we can respond to these themes and trends.
- The trust has participated in one serious case review this year within Knowsley community services.
- Two patients have been referred to LEDER this year.
- There have been 16 referrals for staff members over the last year. The trust has recently set up a staff carers support group to aid staff who have caring responsibilities across the trust.

6. Work Plan Priorities for 2018/19

- Management of patients with ACHD with learning disabilities
- Development of a database for all contacts
- Learning disabilities and domestic violence information to be provided as part of induction training
- Monitor and improve the percentage of staff who have completed training in Safeguarding Vulnerable Adults and Safeguarding Children Levels 1 and 2
- Domestic abuse training to be further developed for staff
- Annual self-assessment for safeguarding to be undertaken
- Child sexual exploitation training and voice of the child to be further developed
- Further development of core supervision sessions for Safeguarding Ambassadors
- Further development of Safeguarding Ambassadors
- Further education and training for Trust Board and Governors
- Development of new liberty protection safeguards.

These priorities will be developed into an action plan and monitored by LHCH's Safeguarding Group, alongside the KPIs for 2019/20.

7. Recommendations

The Board of Directors to receive assurance that appropriate safeguards are in place to protect adults and children in LHCH in line with national and local directives and legislation related to safeguarding adults and children at risk.

8. References

- Clinical Governance and Adult Safeguarding - An Integrated Process (2010) Department of Health <http://www.gov.uk>
- Deprivation of Liberty Safeguards (2009) <http://www.gov.uk>

- Essential Standards of Quality and Safety (2015) Care Quality Commission <http://www.cqc>
- Guidelines on Caring for People with a Learning Disability in General Hospital Settings (2010) Guidelines and Audit Implementation Network <http://www.gain-ni.org>
- Lampard K & Marsden E (2015) Themes and Lessons Learnt from NHS Investigations into Matters Relating to Jimmy Savile. Department of Health <http://www.gov.uk/jimmy-savile-nhs-investigations-lessons-learned>
- Living well with Dementia: A National Dementia Strategy (2009) Department of Health <http://www.gov.uk>
- Mental Capacity Act (2005) <http://www.legislation.gov.uk/uk>
- "Mencap Death by Indifference" (2007) <http://www.mencap.org.uk>
- Mencap (2012), "Death by Indifference: 74 Deaths and Counting. A Progress Report 5 years on"
- Michaels J (2008) Healthcare for All: Report of the Independent Inquiry into Access to Health Care for People with Learning Disabilities. <http://www.dh.gov.uk>
- Monitoring the use of the Mental Capacity Act Deprivation of Liberty Safeguards in 2013/14 (2015) Care Quality Commission <http://www.cqc>
- National Dementia Strategy (2009) Department of Health <http://www.dh.gov.uk>
- NHS London UK Core Skills Training Framework (2013) Subject 9 Safeguarding Adults <http://www.skillsforhealth.org.uk/developing-your-organisations-talent/uk-wide-core-skills-training-framework/>
- "No Secrets" (2000) Guidance Department of Health and Home Office
- Safeguarding Vulnerable Groups Act (2006) www.legislation.gov.uk/ukpga/2006
- The Care Act (2014) <http://www.dh.gov.uk>
- The Ombudsman Report, Six Lives" (2009) <http://www.dh.gov.uk>
- Transforming Care Winterbourne View - Final Report https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/127310/final-report.pdf.pdf
- The Mid Staffordshire - NHS Foundation Trust Public Inquiry (Chaired by Robert Francis QC) (2012) <http://www.midstaffpublicinquiry.com/sites/default/files/report/Volume%203.pdf>
- The National Framework for Reporting and Learning from Serious Incidents Requiring Investigation (2010) National Patient Safety Agency <http://www.npsa.nhs.uk>

- The Safeguarding Adults: A National Framework of Standards for Good Practice and Outcomes in Adult Protection Work (2005). The Association of Directors of Adult Social Services <http://www.adass.org.uk>
- “Domestic Violence and abuse: how health services, social care and the organisations they work with can respond effectively” NICE PH 50 (February 2014)
- “Introducing Mandatory Reporting for Female Genital Mutilation Consultation” Home Office (December 2014)
- “Introducing Mandatory Reporting for Female Genital Mutilation Consultation - summary of responses” Home Office (February 2015)
- Lampard K & Marsden E (2015) “Themes and lessons learnt from NHS investigations into matters relating to Jimmy Savile” Department of Health <http://www.gov.uk/jimmy-savile-nhs-investigations-lessons-learned>
- “Safeguarding Children and Young People Roles and Competencies for Health Care Staff” Intercollegiate Document 3rd Edition (March 2014)
- “Safeguarding Vulnerable People in the Reformed NHS” Accountability and Assurance Framework. NHS Commissioning Board. (March 2013)
- The London Child Sexual Exploitation Operating Protocol 2nd Edition (March 2015)
- “Tackling FGM in the UK - Intercollegiate recommendations for identifying, recording and reporting” RCM (November 2013)
- “Working Together to Safeguard Children - a guide to inter-agency working to safeguard and promote the welfare of children” HM Government (March 2015)