

Title of meeting: Governance & Audit & Standards Committee

Date of meeting: 13 March 2015

Subject: Review of Adult Safeguarding Practice

Report by: City Solicitor

Wards affected:

Key decision: No

Full Council decision: No

1 Purpose of report

- 1.1 To update Members of the Committee as to considerations arising subsequent to an investigation into Adult Safeguarding Practice following the reported assault on a resident of Portsmouth by a former member of this Council in 2010.

2 Recommendations

- 2.1 It is recommended that Members of the Committee note the report.
- 2.2 It is recommended that Members of the Committee consider whether any further action is required by them.

3 Background

- 3.1 At the time of the assault, this Council, together with Hampshire County Council, Southampton City Council, Hampshire Constabulary and the local NHS subscribed to the approved Safeguarding Adults Policy 2010.
- 3.2 The investigation undertaken by this Council concluded that the practice of the Council at the time of the reported assault was compliant with the 2010 Policy on the following bases:
- 3.2.1 There was no conflict of interest between the adult social care service provided to the resident, as the Council at that time was not providing direct services to the resident from Adult Social Care. Moreover the investigating agency into the assault was Hampshire Constabulary and not the Council.
- 3.2.2 On a review of the records no evidence of contact or influence has been found by the former member on the social work professional practice of Adult Social Care.

3.2.3 Under the 2010 Policy, the guidance refers to the benefit of an advocate but does not provide criteria for such an advocate. In this case, the family support worker from Harbour School was to be the advocate which met the criteria of the Policy.

4 Reasons for recommendations

4.1 The investigation made the following recommendations, in light of the Care Act 2014, which have been made to the Independent Chair of the Portsmouth Adult Safeguarding Board:

4.1.1 Under the 2014 Act, the local authority is now required to carry out enquiries to protect the victim / individual at risk and co-ordinate all services and agencies concerned. The Council's Director of Adult Services and Monitoring Officer would need to consider in any future case whether a conflict of interest arose.

4.1.2 There is a further responsibility on the Council under the 2014 Act to provide an independent advocate to 'represent and support an adult who is the subject of a safeguarding enquiry'. No person 'engaged professionally to provide care or treatment for the adult in question' may be an advocate.

5 Equality Impact Assessment (EIA)

5.1 Not applicable.

6 Legal implications

6.1 The City Solicitor's comments are included in this report.

7 Finance comments:

7.1 There are no financial implications arising from the recommendations set out in this report.

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City Solicitor

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location