



# Shropshire Partners in Care

*Supporting social care providers in Shropshire, Telford & Wrekin*

## Safeguarding Adults Forum 30<sup>th</sup> of March, 2022

*Please note activities such as case studies used during the Forum have been removed from this version of the presentation so they are not used out of context*



# Forum Agenda

- ✓ **Self-neglect and Mental Capacity** - Lorraine Currie, Professional Lead MCA (Shropshire Council)
- ✓ **Developing a Positive Safeguarding Culture** – Karen Littleford, Safeguarding Adults Lead, Shropshire Partners in Care
- ✓ **What is Self-neglect? An introduction to self-neglect and an insight into some cases supported through safeguarding** - Duncan Henney, Assistant Team Leader (Adult Safeguarding, Telford and Wrekin Council) with Hayley Wilkinson and Amy Richards (Adult Safeguarding)
- ✓ **Resources and Webinars** Karen Littleford, Safeguarding Adults Lead (Shropshire Partners in Care)

# **Self-neglect and Mental Capacity** - Lorraine Currie, Professional Lead MCA, Shropshire Council



**The video to go with Lorraine's presentation can be watched here**

**[https://www.youtube.com/watch?v=ie2DTBXHY\\_U&t=203s](https://www.youtube.com/watch?v=ie2DTBXHY_U&t=203s)**

A photograph of a kitchen sink and countertop. The sink is filled with a stack of dirty white plates, some with food residue. To the left of the sink, the countertop is cluttered with various items: a blender with a yellow lid, a red pepper, a glass with a blue straw, a peeler, and other kitchen tools. In the background, a stove and hanging kitchen utensils are visible. The overall scene suggests a state of neglect or disorganization.

# Self neglect and mental capacity

**Lorraine Currie**  
**March 2022**

**Mental**



**Capacity**

A visualization of a cosmic tunnel or wormhole, showing a dark, swirling interior surrounded by a vibrant, multi-colored (blue, green, cyan) nebula-like structure. The background is a deep blue space filled with numerous white stars of varying sizes. A yellow rectangular box is overlaid at the bottom center, containing the text "From the beginning of time".

From the beginning of time

A two stage test  
Stage one: Diagnostic  
element  
Stage two: Functional  
element



We later added causation  
as  
Stage 3: is there a causal  
link between 1 and 2?





# Why?

For the purposes of this Act, a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain.



# Why?

1

For the purposes of this Act, a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain.

2



## Why does the order matter?

- Firstly the MCA itself makes it clear that

A lack of capacity cannot be established merely by reference to—

- (a) a person's age or appearance, or
- (b) a condition of his, or an **aspect of his behaviour**, which might lead others to make unjustified assumptions about his capacity.

- If we begin with a functional approach we can better practice supported decision making
- support can be targeted appropriately, for instance to help them understand the information relevant to the decision, or to use and weigh it.
- Relationships can be built which might help us work with people to address some of these areas of people life that we do find challenging

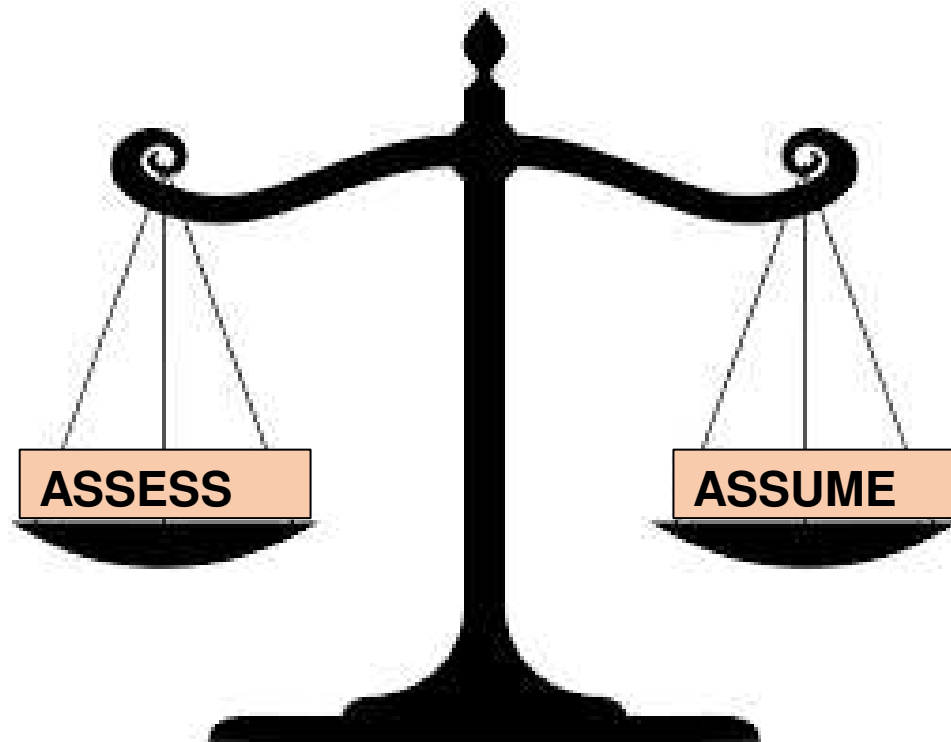


An assessment of capacity can best be carried out by asking three questions

1. Is the person able to make the specific decision
2. If not , does the person have an impairment or disturbance in the functioning of the mind or brain
3. If so is this impairment the reason that they cannot make the decision



# Two MCA mistakes



Presumption:  
Royal Bank of  
Scotland plc v AB

‘ The presumption of capacity is important; it ensures proper respect for personal autonomy by requiring any decision as to a lack of capacity to be based on evidence. Yet the section 1(2) presumption like any other, has logical limits. When there is good reason for cause for concern, where there is legitimate doubt as to capacity [to make the relevant decision], the presumption cannot be used to avoid taking responsibility for assessing and determining capacity. To do that would be to fail to respect personal autonomy in a different way’

# Start at the beginning



- Make sure that you know clearly what the issue or decision is
- Then work out what the salient points are that someone would need to understand to make this decision
- It is useful to begin by recording this detail
- Work out how to **give** the person all this information in the most relevant way



**What's the  
decision**

**How can I  
give the  
information**

**How do I know if  
it's been retained  
and understood**

**How do I  
know if the  
person can  
use or weigh  
it**



# Understand

- They do not need to understand every element of what is being explained to them
- They just need to understand the 'salient factors' relevant to the decision.
- Your assessment will clearly record the decision to be made
- It will record information given and options
- It will record questions asked with answers



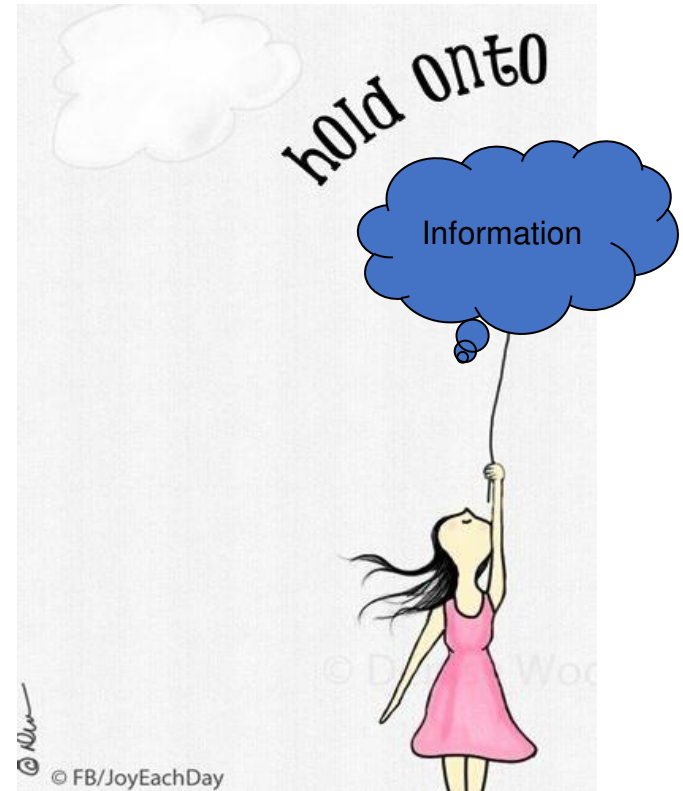
# Retain

Be precise about the information in question.

The person needs to be able to retain enough information for a sufficient amount of time to make a decision.

The use of aids does not rule them out.

If information can be retained long enough to be make the decision at the material time, that is sufficient.



# Use or weigh

This aspect of the test has been described as *“the capacity actually to engage in the decision-making process itself and to be able to see the various parts of the argument and to relate the one to another.”*

The person needs to understand the reasonably foreseeable consequences of reaching a decision or failing to do so.



Involves some weighing of those who can talk the talk but not walk the walk

Can they use the information but disregard it or can they not use it

Involves the persons values and life story

Involves a wider conversation they may not value what you value

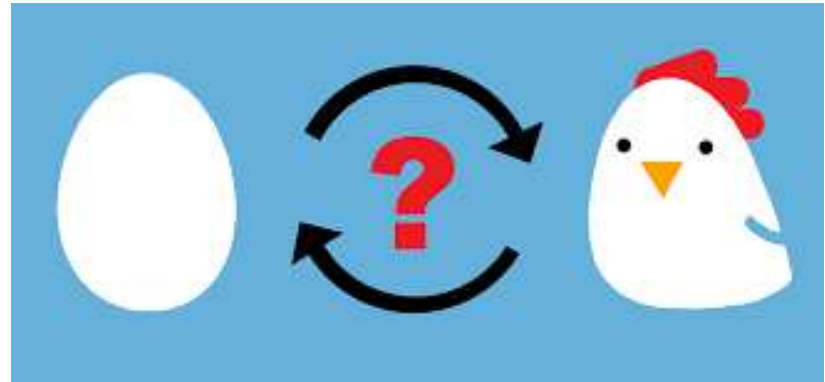
# Communicate

- Any residual ability to communicate is enough, so long as they can make themselves understood.
- You need to demonstrate you have identified what steps you should be taking to facilitate communication: including all necessary tools and aids, and enlisting the support of any relevant carers or friends



### 3. The causal nexus

Finally, you need to establish the 'causative nexus'. In other words, are you satisfied that the inability to make a decision is **because of** the impairment of the mind or brain?



# Self neglect and mental capacity



# What is self-neglect?

- Lack of self-care to an extent that it threatens personal health and safety
- Not managing personal hygiene
- Not caring for surroundings, this can include behaviour such as hoarding
- Inability to avoid harm as a result of self-neglect
- Not seeking help or accessing services to meet health and social care needs
- Inability or unwillingness to manage one's personal affairs.

# What may cause self- neglect?

The reasons are complex but can include :

- A brain injury, dementia or other mental disorder
- Obsessive compulsive disorder or hoarding disorder
- Physical illness which impacts on functional abilities, energy levels, attention span, organisational skills or motivation
- Reduced motivation as a side effect of medication
- Addictions
- Domestic abuse and other forms of abuse
- Traumatic experiences including from childhood
- Bereavement
- Life change, including change in physical ability.





*Top  
Tips*

## 1. Self neglect - Get the question right

---

- If you don't know clearly, what the decision or issue is , it will fall apart from there.
- If you don't know what the issue is , how will you know what someone needs to understand
- If you don't know what the issue is how can you be sure the person has had the relevant information
- What is the relevant information in terms of self neglect?
- Is it about care needs or property maintenance or both



# Self neglect could be about care or accommodation issues

## Care – relevant information

- With what areas the person needs support;
- What sort of support they need
- Who will provide such support
- What would happen without support, or if support was refused.
- That carers may not always treat the person being cared for properly, and how to make a complaint if they are not happy.



*A Local Authority v AW [2020] EWCOP 24: “... the ability to think, act, and solve problems, including the functions of the brain which help us learn new information, remember and retrieve the information we’ve learned in the past, and use this information to solve problems of everyday life” (para 39).*

The person with executive impairment may show the following signs:

- Unable to translate intention into action
- ‘Full of promises’ and plausible
- Apathetic
- Inability to initiate, plan and sequence activities
- Struggling with new situations (better with familiar)
- Behaviour is aimless, impulsive, and fragmented
- Unable to monitor and evaluate their own actions
- Unable to think flexibly or abstractly
- Less able to adapt to change
- Very ‘Black and White’ thinking style
- Lack of a filter in social situations

## 2. Self neglect - recognise executive impairment

The person with executive impairment may show the following signs:

- Unable to translate intention into action
- 'Full of promises' and plausible
- Apathetic
- Inability to initiate, plan and sequence activities
- Struggling with new situations (better with familiar)
- Behaviour is aimless, impulsive, and fragmented
- Unable to monitor and evaluate their own actions
- Unable to think flexibly or abstractly
- Less able to adapt to change
- Very 'Black and White' thinking style
- Lack of a filter in social situations

*A Local Authority v AW*  
[2020] EWCOP 24: "... the ability to think, act, and solve problems, including the functions of the brain which help us learn new information, remember and retrieve the information we've learned in the past, and use this information to solve problems of everyday life" (para 39).

### 3. Self neglect – recognise the challenges

- When executive function is impaired, it can
  - inhibit appropriate decision-making
  - reduce a person's problem-solving abilities
  - Impact on planning and organisation
  - Limit flexibility in thinking
  - Impair ability to multi-task
  - Social behaviour, emotion control and motivation are all executive functions.
- assessing capacity in this situation can present challenges but failing to carry out a thorough capacity assessment can expose people to substantial risk.

## 4. Understand frontal lobe impact

This involves not only

- the ability to understand and reason through the elements of a decision in the abstract but also
- the ability to realise when a decision needs to be put into practice and execute it at the appropriate moment
- Frontal lobe damage may cause loss of executive brain function, resulting in difficulties:
  - understanding, retaining, using and weighing information in the moment
  - problem-solving, enacting a decision at the appropriate point

## 5. Recognise this impact in a capacity assessment

- People with executive impairment can often present very well in a formal assessment of capacity.
- They can often mask their deficits, and be unaware they are doing so.
- Yet there may be signs that they struggle in day to day life. (This is known as the 'frontal lobe paradox').
- An example of this difficulty: 'is where a person who is self neglecting gives a perfectly logical reason for the state of neglect and how to deal with it, but it is clear from their actions that they are unable to carry into effect the intentions expressed in those answers.
- People may be good in theory but poor in practice.



## 6. Sometimes people do understand perfectly well but cannot use or weigh



SOMETIMES THE  
PROBLEM IS  
KNOWING BUT NOT  
DOING, IN THE  
MOMENT



SOMETIMES THE  
PROBLEM IS KNOWING  
WHAT ANSWERS ARE  
RIGHT BUT NOT BEING  
ABLE TO APPLY ANY OF  
THEM



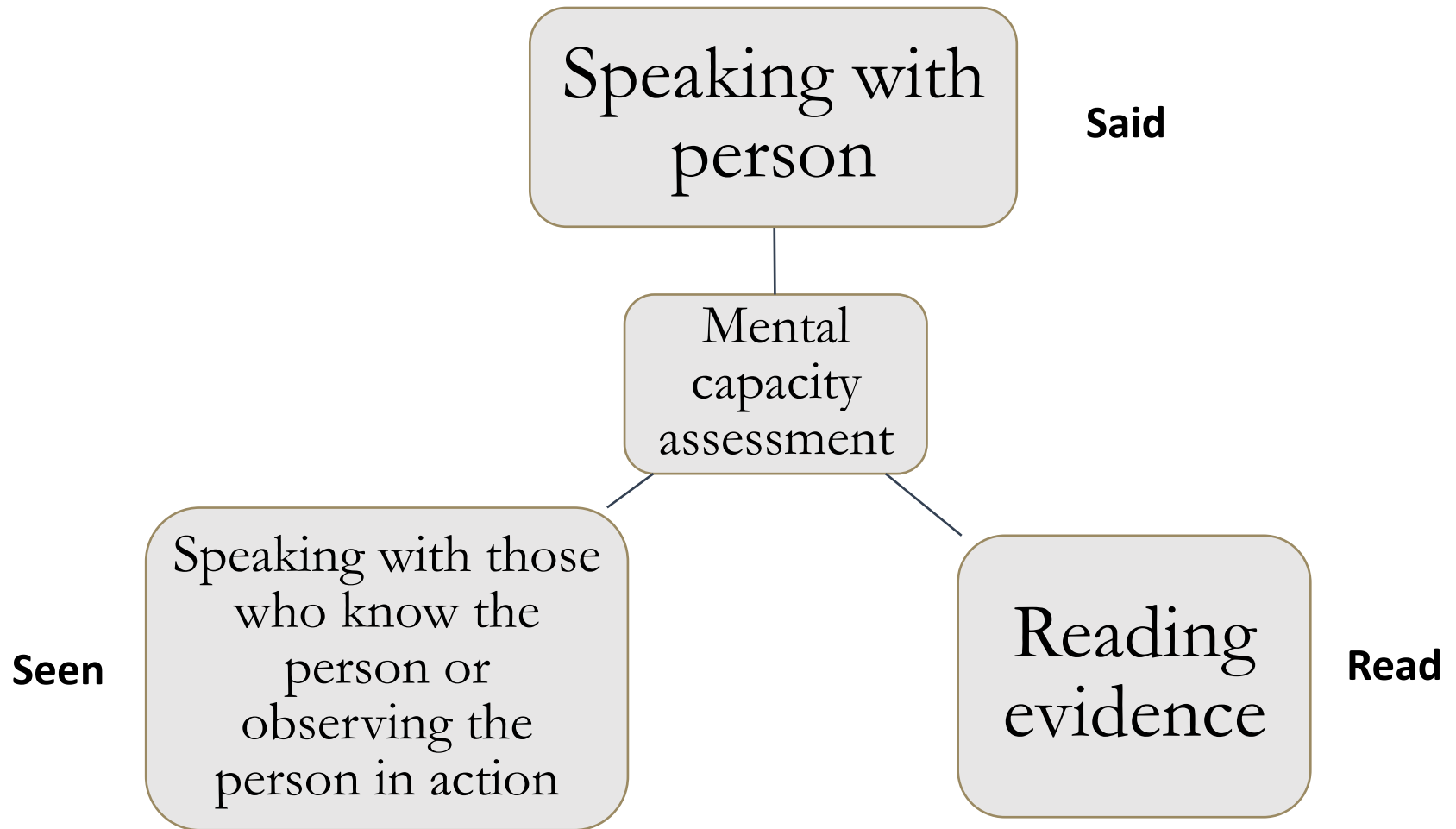
ASSESSORS THEN  
HAVE TO WORK OUT  
UNWISE VERSUS  
INCAPACITOUS  
DECISION MAKING

The ability to use  
or weigh is crucial

The person who tells you their view, it's different that the professionals view, it may even be the 'wrong thing' but they are fully aware of the risks involved

The person who gives great answers demonstrating good understanding but when they are in certain situations or certain states cannot carry out any of what they have described.

## 7. Sometimes we need to triangulate evidence



## Checking

- I asked Mr Smith if he was able to have a wash by himself and he said he could, indicating the sink in the corner of his room.
- I asked if he had a routine and he said that every morning and night he had a wash. He explained that at home he had a washbasin upstairs.
- I asked if he could get upstairs and he said yes, pointing out that he uses the stairs at the care home.
- *I understand that Mr Smith uses the lift at the care home and he was not able to get upstairs when he lived at home*

## 8. Its not one strike and you're out

- Capacity is not something that can only be assessed once
- People can learn, develop, change
- Or information and evidence may appear which was not previously present which suggests a mismatch between saying and doing
- Short term decisions can be made and can be revisited.



## 9. Good assessments

A judge has helpfully described capacity assessments which most protect rights are

- **criteria-focussed** – what is the issue or decision
- **Evidence based** – where is the evidence and is it triangulated
- **Person-centred** – is this assessment based on the persons life and situation
- **Non-judgmental** – Is it non judgmental especially pertinent for self neglect

## 10. Self neglect - Do not fail to assess

- Someone who hoards or self neglects can take huge risks with their own health and yet can be assessed as having capacity, as they can appear competent.
- Or the person is deemed to not meet criteria for a capacity assessment and is said to be making poor/unwise decisions.
- Decisions are not broken down into specific decisions, but are grouped together into too complex a decision making the assessment and the relevant information too complex
- In relation to hoarding and self-neglect developing a good rapport and early intervention is critical. The assessor has to balance the tensions between respect for autonomy and respect for the persons wellbeing.

# Helpful resources

- Ruck Keene, A. , Butler-Cole, V., Allen, N. , Lee, A. , Kohn, N., Scott, K. , Barnes, K. and Edwards, S. (2022) *CARRYING OUT AND RECORDING CAPACITY ASSESSMENTS*. London: 39 Essex Chambers. [Mental-Capacity-Guidance-Note-Capacity-Assessment-January-2022.pdf \(netdna-ssl.com\)](https://www.netdna-ssl.com/wp-content/uploads/2022/01/Mental-Capacity-Guidance-Note-Capacity-Assessment-January-2022.pdf)
- Ruck Keene, A. , Butler-Cole, V., Allen, N. , Lee, A. , Kohn, N., Scott, K. , Barnes, K. and Edwards, S. (2021) *GUIDANCE NOTE: RELEVANT INFORMATION FOR DIFFERENT CATEGORIES OF DECISIONS*. London: 39 Essex Chambers. [Mental-Capacity-Guidance-Note-Relevant-Information-for-Different-Categories-of-Decision-November-2021.pdf \(netdna-ssl.com\)](https://www.netdna-ssl.com/wp-content/uploads/2021/11/Mental-Capacity-Guidance-Note-Relevant-Information-for-Different-Categories-of-Decision-November-2021.pdf)
- Research in Practice (2020) *Working with people who self-neglect*. Totnes: Research in Practice. [https://www.researchinpractice.org.uk/media/4833/working\\_with\\_people\\_who\\_self-neglect\\_pt\\_web.pdf](https://www.researchinpractice.org.uk/media/4833/working_with_people_who_self-neglect_pt_web.pdf)
- Braye, S. (2019) *ENGAGING AND INTERVENING WITH PEOPLE WHO SELF-NEGLECT: MESSAGES FROM RESEARCH*. <https://www.hampshiresab.org.uk/wp-content/uploads/Engaging-and-Intervening-with-people-who-self-neglect.pdf>



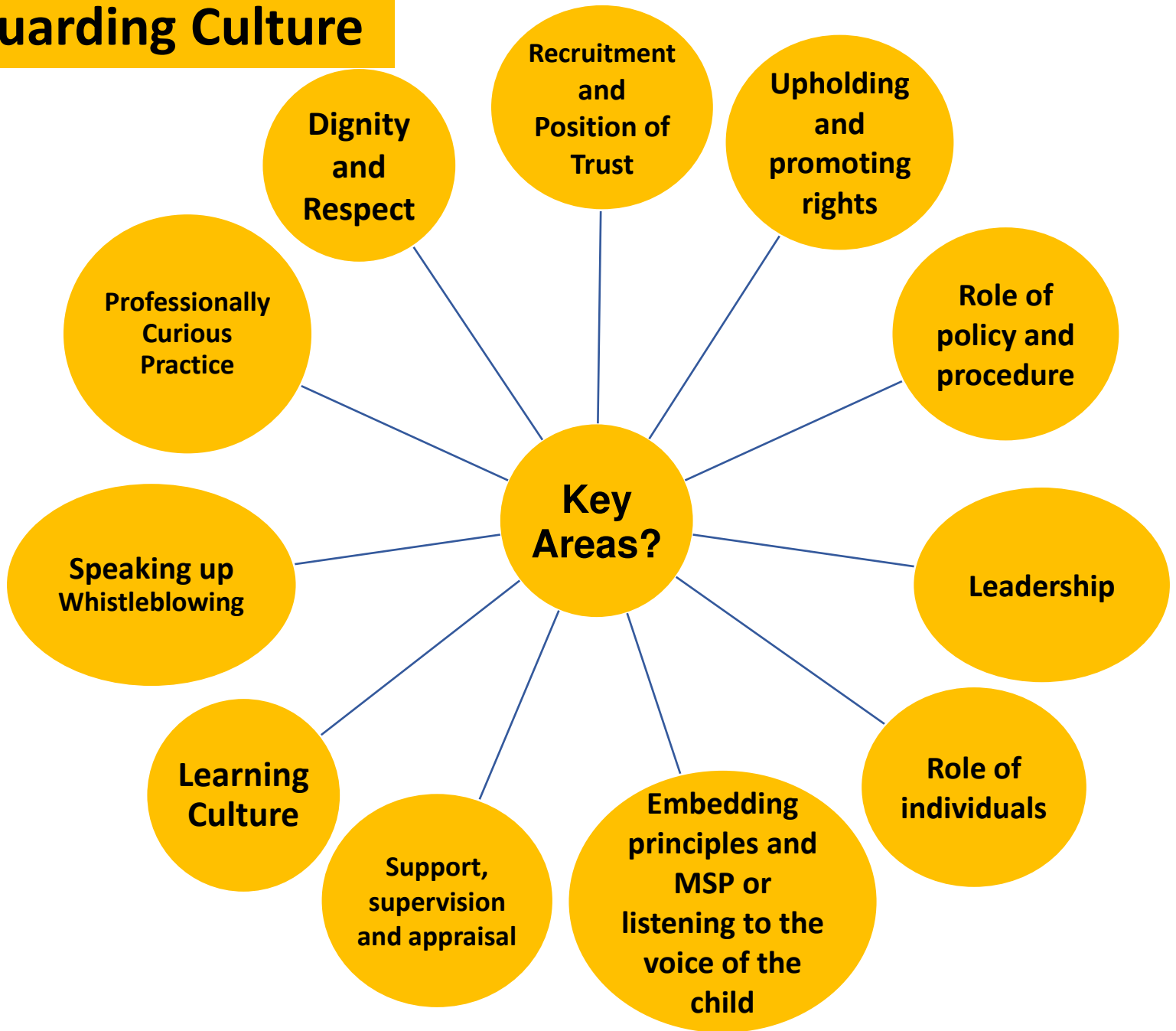
# Developing a Positive Safeguarding Culture –

Karen Littleford,  
Safeguarding Adults  
Lead, Shropshire  
Partners in Care



Shropshire Partners in Care

# Safeguarding Culture



# Safeguarding

Safeguarding is not just about responding to concerns about abuse, it is much more than that.

**Safeguarding is about the things that we do everyday when we are supporting individuals in our work.**

It involves the promotion of wellbeing, through to the safeguarding responses when a concern is raised.

**Central to that is the need to develop, nurture and continue to work on a positive safeguarding culture.**

(The National Safeguarding Office, Limerick, no date)

# What Do We Mean By Culture?

Culture is **‘the way things are done around here’**. A positive safeguarding culture is a key **building block** in the prevention work involved in safeguarding.



(The National Safeguarding Office, Limerick, no date)


# Who Makes a Safeguarding Culture?

“Who makes and shapes a safeguarding culture?”

**We all do.”**

(Lloyd-Smith, 2021, Safeguarding Adults Board Manager, Norfolk)

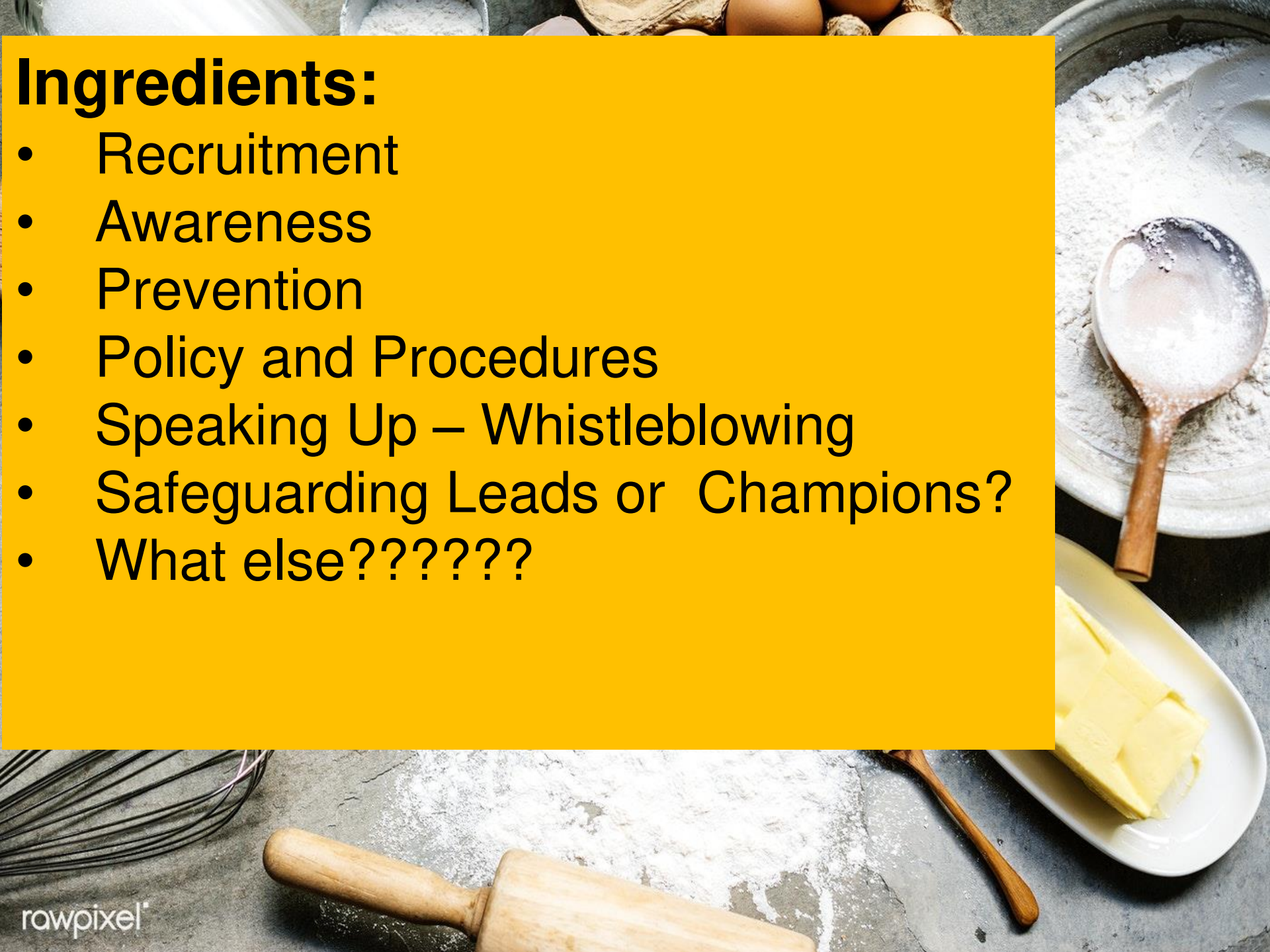




**Creating a  
Positive  
Safeguarding  
Culture – What  
are the  
Ingredients?**

# Ingredients:

- Recruitment
- Awareness
- Prevention
- Policy and Procedures
- Speaking Up – Whistleblowing
- Safeguarding Leads or Champions?
- What else???????



# What Are The Key Features in a Service That *Has* Developed a 'Positive Safeguarding Culture'?

Communication and a willingness to be actively involved with helping people to safeguard themselves

(Alistair Potter, Safeguarding Practitioner, Adult Safeguarding Team, Shropshire Council, 4<sup>th</sup> January 2022)



# What Can Individuals Do?

"We encourage staff and students to be *upstanders* rather than *bystanders*"

(Faragher 2021)

## ACTION POINTS

### BUILDING A CULTURE OF SAFEGUARDING

Ofsted has indicated that educational settings should take an organisation-wide approach to safeguarding, creating a "safe space" where any member of staff should know what to do if someone approaches them with a concern. Alex Miles, managing director of independent training provider network WYLP, offers the following advice:

- **Seek opportunities:** Look at the curriculum or standards you are teaching and think about how you can tie these in with conversations on behaviour. British values teaching is part of many curricula, for example, and could offer opportunities for discussion on respect and tolerance.
- **Make it organic:** Don't react after an incident happens. Use opportunities to discuss issues rather than bolting this on to core learning.
- **Contextualise:** Apprentices or work-based learners may require a different focus than college learners, so discuss safeguarding with their main environment in mind.
- **Network:** There is no need to reinvent the wheel. Talk to other colleges or learning providers about how they set up safeguarding and the policies they use.

# A Culture of 'Courage'? Should We Need to Be Courageous?

Silence isn't always golden. Effective organisations need people to speak up.

(Hurt et al, 2020)

Courage is doing the right thing in the face of opposition

(NOBL, 2021)





# In Summary!

1. Do not just focus on 'compliance'
2. A Safeguarding Culture needs to be *nurtured*
3. Make the safeguarding culture tangible for *all* staff
4. Always be aware that 'it could happen here'
5. Test systems for staff, volunteers and adults who use the service
6. Have a continual safeguarding dialogue
7. Encourage and support professional curiosity
8. Empower people using the service to keep themselves safe

(Lowe, 2021)



SUMMARY

# Do You Want to Carry On The Conversation?

## Adult Safeguarding – Promoting a Positive Safeguarding Culture

### Course Aims:

To consider how in order to deliver 'good safeguarding practice' the development of a healthy safeguarding culture is key and what this might involve.

### Learning objectives:

- Identify the role of recruitment processes in embedding safeguarding
- Recognise the importance of embedding key safeguarding principles
- State how policy and procedure can contribute to a positive culture
- Describe how an organisation can embed a 'Listening, Leading and Learning' model
- Define how the role of individuals in an organisation contributes to this culture
- Identify relevant guidance to support the development of a positive culture
- Explain how organisational processes can contribute to maintaining this culture

### Cost of course:

Member: £25.00

Non-Member: £40.00

### Available dates:

Click on a date to book (opens in new tab)

**Online - Zoom**

**May 2022**

Wed 11th | 9:30am - 1:00pm

**November 2022**

Wed 2nd | 9:30am - 1:00pm

<https://www.spic.co.uk/event/adult-safeguarding-promoting-a-positive-safeguarding-culture/>

# References

- BlueSeat Studios and InterAction (2021) *Getting Real About Your Organization's Safeguarding Culture*. 22 Nov 2021 <https://www.youtube.com/watch?v=Fy-tQ6RnOSY>
- Faragher, J. (2021) *Under scrutiny*. Intuition Issue 46, Pp 21, Winter 2021. London: Society for Education and Training (SET)
- Hurt, K., Dye, D. and Edmonson, A. (2020) *COURAGEOUS CULTURES*. New York City: HarperCollins Leadership.
- Lloyd-Smith, W. (2021) *Does Your Organisation Have a Safeguarding Culture?* Norfolk Care News Winter 2021. <https://online.fliphtml5.com/kcsmk/apyw/#p=1>
- Local Government Association and Association of Directors Adult Social Services (2020) *Key messages from Analysis of Safeguarding Adult Reviews (SARs) April 2017 – March 2019*. London: Local Government Association and Association of Directors Adult Social Services. <https://www.local.gov.uk/publications/analysis-safeguarding-adult-reviews-april-2017-march-2019>
- Local Government Association and Association of Directors Adult Social Services (2017) *Making Safeguarding Personal What might 'good' look like for health and social care commissioners and providers?* London: Local Government Association. <https://www.local.gov.uk/sites/default/files/documents/25.27%20-%20CHIP%20Making%20Safeguarding%20Personal%3B%20What%20might%20%E2%80%98good%E2%80%99%20look%20like%20f.-2.pdf>
- Lowe, J. (2021) *Creating and maintaining a safeguarding culture*. New Schools Network. <https://www.youtube.com/watch?v=aoLgH9-ViGw>
- National Institute for Health and Social Care Excellence (2021) *Creating a safeguarding culture*. London: NICE. <https://www.nice.org.uk/about/nice-communities/social-care/quick-guides/creating-a-safeguarding-culture>

# References

- National Institute for Health and Social Care Excellence (2021a) *Good practice in safeguarding training*. <https://www.nice.org.uk/about/nice-communities/social-care/quick-guides/good-practice-in-safeguarding-training>
- NOBL (2021) *How to Encourage a Culture of Courage*. <https://academy.nobl.io/how-to-encourage-a-culture-of-courage/>
- NSPCC (2021) *Safer recruitment*. London: NSPCC. <https://learning.nspcc.org.uk/safeguarding-child-protection/safer-recruitment>
- Skills for Care (2020) *Safe and fair recruitment A guide to employing people with convictions in social care*. Leeds: Skills for Care. <https://www.skillsforcare.org.uk/resources/documents/Recruitment-support/Application-and-selection-process/Safe-and-fair-recruitment-guide.pdf>
- Stanley, N., Manthorpe, J. and Penhale, B. (1999) *Institutional Abuse, Perspectives Across The Life Course*. London: Routledge.
- Thacker, H., Anka, A. and Penhale, B. (2020) *The importance of professional curiosity in safeguarding adults*. Published: 09/12/2020. Totnes: Research in Practice. <https://www.researchinpractice.org.uk/adults/news-views/2020/december/the-importance-of-professional-curiosity-in-safeguarding-adults/>
- The National Safeguarding Office (no date) *Safeguarding Guidance – Prevention and Creating A Safeguarding Culture (draft)*. Limerick: The National Safeguarding Office. <https://www.hse.ie/eng/about/who/socialcare/safeguardingvulnerableadults/creating%20a%20safe-guarding%20culture.pdf>

# Self-neglect?

**An introduction to self-neglect  
and an insight into some cases  
supported through safeguarding -**

Duncan Henney, Assistant Team  
Leader (Adult Safeguarding,  
Telford and Wrekin Council) with  
Hayley Wilkinson and Amy  
Richards from the Adult  
Safeguarding Team



Telford & Wrekin  
COUNCIL



# Telford and Wrekin Adult Safeguarding Team

## Self Neglect

**Safeguarding is  
Everyone's  
Responsibility**

**Shropshire Partners in Care,  
Thursday 18<sup>th</sup> March 2021**

*Working together to enable people to Live Well and  
Independently  
in Telford and Wrekin*

Protect  
Care and Invest  
to create a  
better borough



Telford & Wrekin  
COUNCIL

# What is Self Neglect?



There is no one accepted and universally known definition of self-neglect. The Care Act statutory guidance 2014 defines self-neglect as;

***"a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding".***

## Care Act Section 42

The Local Authority must make, or cause to be made, whatever enquiries it thinks necessary to enable it to decide what action should be taken in an adult's case, when:

The Local Authority has reasonable cause to suspect that an adult in its area:

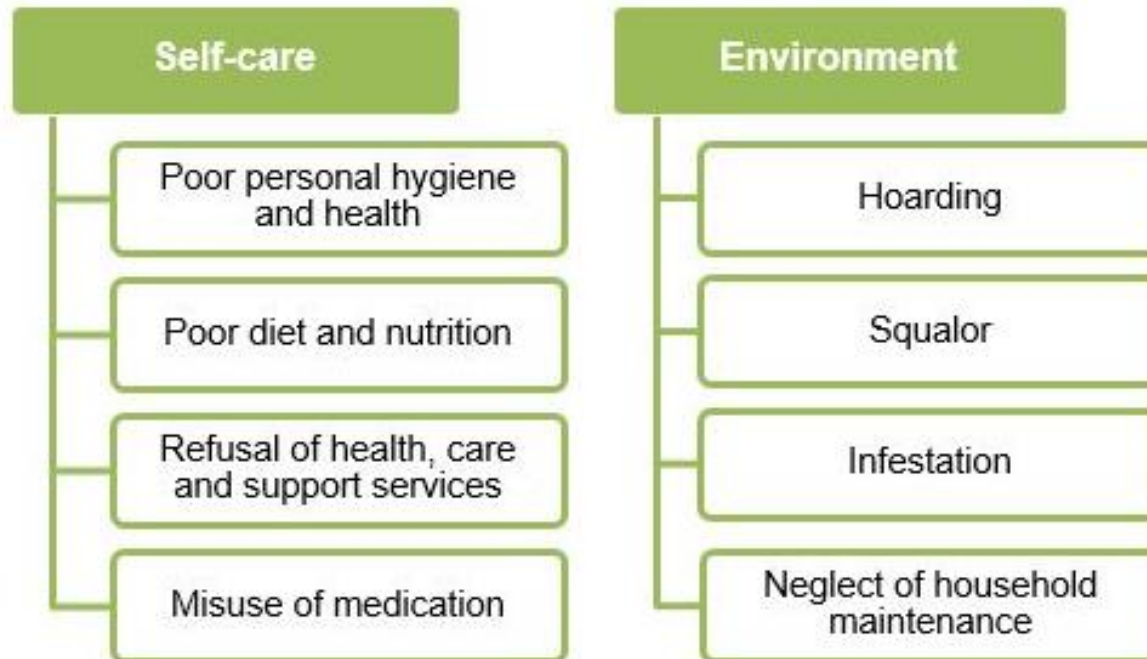
- Has needs for care and support,
- Is experiencing, or is at risk of, self-neglect, and
- As a result of those needs is unable to protect himself or herself against self-neglect, or the risk of it.

## Models of Self Neglect

- Deteriorating physical health
- Onset of depression or other mental health need
- Response to trauma
- Change in social networks or income
- Personal identity and philosophy

## Overarching Themes

- Demotivation stemming from other factors;
- Other priorities;
- Different standards;
- Maintaining self-care;
- Uncertainty about reasons, and;
- Inability to self-care.



# Ethical Dilemmas – what is the right thing to do?

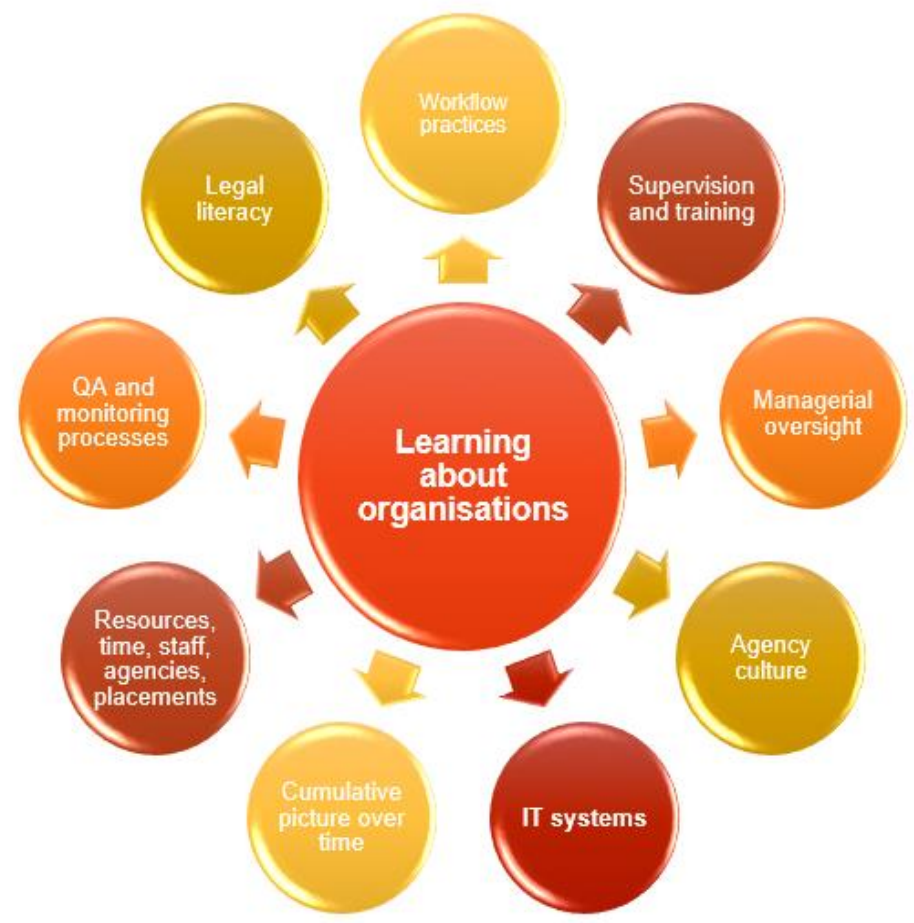
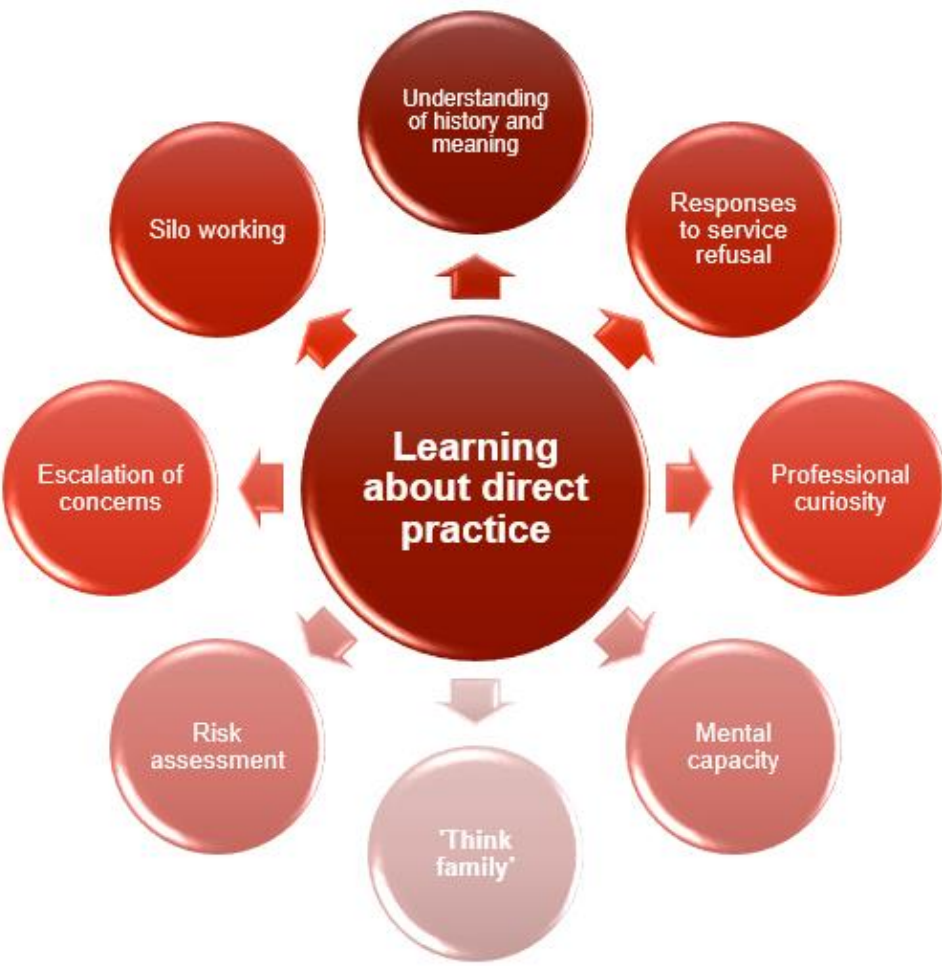




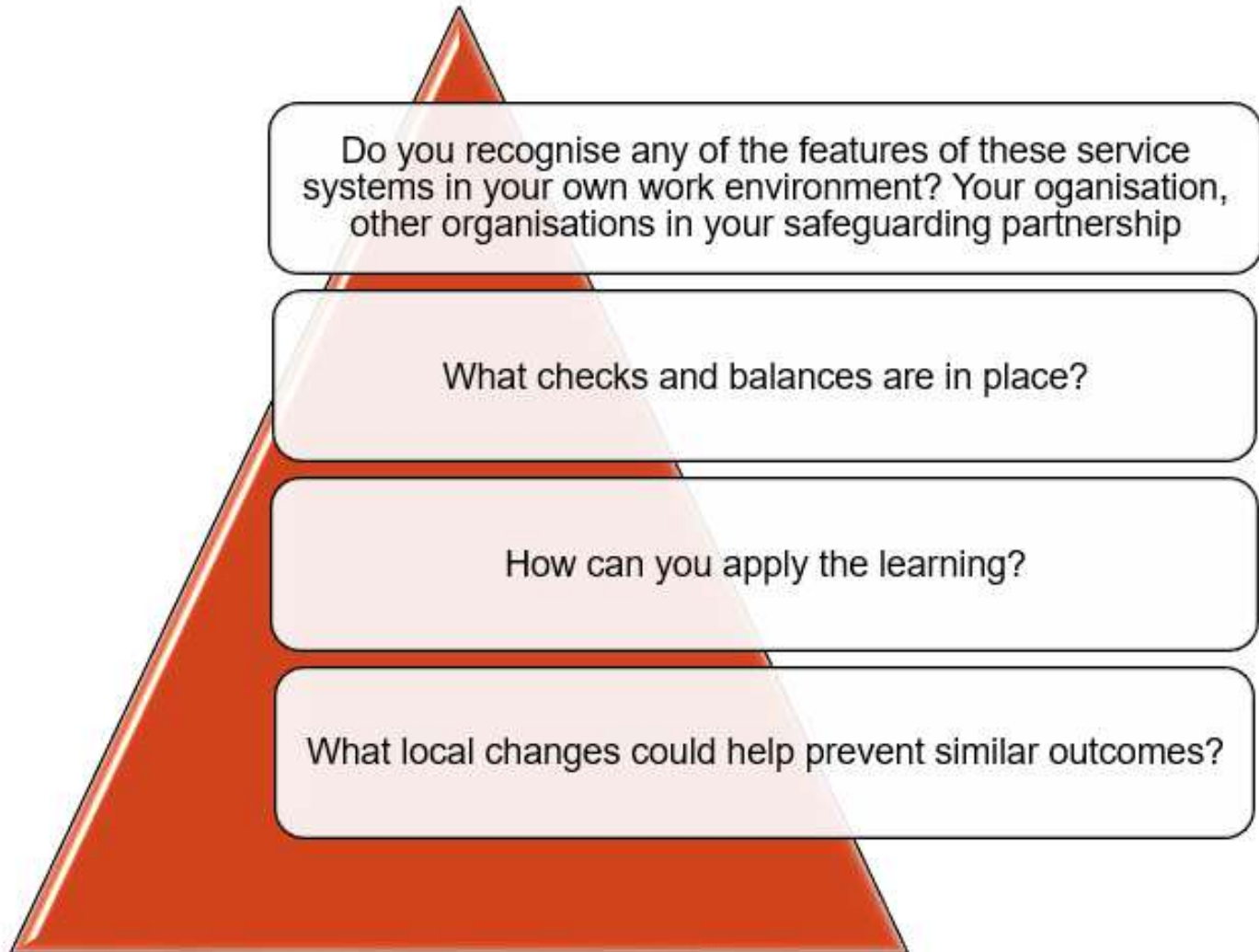
# Interventions



Braye, Orr and Preston-Shoot (2015)<sup>1</sup>



# Key Questions





# Webinars, Resources and Reports



# Access The PowerPoint



Shropshire Partners in Care

[About Us](#) [Training & Events](#) [Projects](#) [Information Centre](#) [News](#) [Contact](#)

[Coronavirus \(Covid-19\) Guidance](#)

[Training](#)

[Projects](#)

[DBS](#)

[Clinical Resources](#)

[Meetings, Forums & Events](#)

[Wellbeing Resources](#)

[Surveys](#)

[Brexit Planning](#)

[Other](#)

## Meetings, Forums & Events

[SPiC AGM & Event 2020- Our Care Stories](#)

[View >](#)

[SPiC and Shropshire Council Joint Forum](#)

[View >](#)

[Annual Seminar](#)

[View >](#)

[Networking Opportunity for Trainers](#)

[View >](#)

[Safeguarding Adults Forum](#)

[View >](#)

[Send us a message](#)

# Live and Recorded Webinars or Events

---



# LPS Events

**Event 1 13<sup>th</sup> April,**

**1:00pm –3:00pm**

**Booking**-Please email [dwarman@spic.co.uk](mailto:dwarman@spic.co.uk) to receive the event link

**Event 2 -Liberty Protection Safeguards Consultation-**

**S.P.i.C.members**

**17<sup>th</sup>May, 1:00pm –**

**3:00pm**

**Booking** –via the S.P.i.C. website [here](https://www.spic.co.uk) or email [dwarman@spic.co.uk](mailto:dwarman@spic.co.uk)

## Liberty Protection Safeguards Consultation Events 13<sup>th</sup> April or 17<sup>th</sup> May 2022

With Lorraine Currie, Professional Lead MCA (Shropshire Council)

### Event 1 – Open Liberty Protection Safeguards Consultation

**When** – 13<sup>th</sup> April, 1:00pm – 3:00pm

**Where** – MS Teams (Shropshire Council Event)

**Who** – Open to all agencies including Shropshire Partners in Care members

**Booking** - Please email [dwarman@spic.co.uk](mailto:dwarman@spic.co.uk) to receive the event link

### Event 2 - Liberty Protection Safeguards Consultation - S.P.i.C. members

**When** – 17<sup>th</sup> May, 1:00pm – 3:00pm

**Where** – Zoom (SPiC and Shropshire Council event)

**Who** – Open to Shropshire Partners in Care members

**Booking** – via the S.P.i.C. website [here](https://www.spic.co.uk) or email [dwarman@spic.co.uk](mailto:dwarman@spic.co.uk)

Attendance at either event will assist with absorbing all of the papers circulated as part of the consultation and will also help Shropshire Partners in Care members to:

- Think about where to start in responding
- Assisting with reading and digesting all of the content
- Get to the heart of the key matters and areas to focus on quickly



Department  
of Health &  
Social Care



Ministry  
of Justice

# Consultation on the changes to the MCA Code of Practice and implementation of the LPS.

Summary – The consultation seeks views on proposed changes to the Mental Capacity Act 2005 Code of Practice and implementation of the Liberty Protection Safeguards.

The consultation closes at 11:45pm on 7 July 2022.

Documents [here](#)

Consultation [here](#)

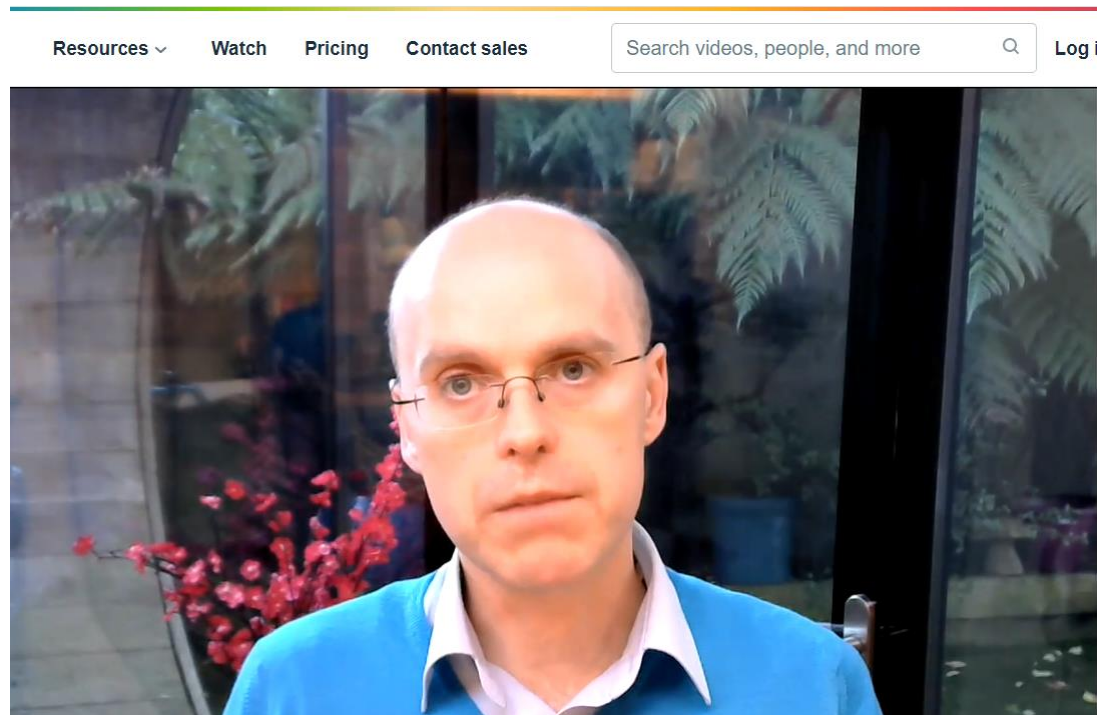
Easy Read [here](#)

**Other reading you may be interested in (not DHSC or MoJ):**

MCA Code / LPS implementation consultation – rapid reaction overview and walkthrough from Alex Ruck Keene [here](#)

How the government plans to implement the Liberty Protection Safeguards  
Tim Spencer-Lane in Community Care [here](#)

# MCA Code and LPS implementation consultation rapid reaction overview from Alex Ruck Keene



[https://vimeo.com/689397679?embedded=true  
&source=vimeo logo&owner=117017507](https://vimeo.com/689397679?embedded=true&source=vimeo%20logo&owner=117017507)

# A Shropshire Partners in Care Webinar - Supporting Employees who are Experiencing Domestic Abuse

## Speakers –

**Niamh Kelly FCIPD, Director, HR Dept Shropshire**

**Tracey Secker, Enterprise Manager, The Haven, Wolverhampton.**

**When** - Thursday 5th May 1:00pm – 2:30pm

**Where** – On Zoom

**Who** - Shropshire Partners in Care Members and Partner organisations based in Shropshire or Telford and Wrekin

**Cost** - Free to attend

Booking - Shropshire Partners in Care members can book [here](#) if you are not a member please email [dwarman@spic.co.uk](mailto:dwarman@spic.co.uk) to secure your place



**A Shropshire Partners in Care Webinar - Supporting Employees who are Experiencing Domestic Abuse**

With guest speakers -  
**Niamh Kelly FCIPD, Director, HR Dept Shropshire**  
**Tracey Secker, Enterprise Manager, The Haven, Wolverhampton.**

**When** - Thursday 5th May 1:00pm - 2:30pm  
**Where** - On Zoom  
**Who** - Shropshire Partners in Care Members and Partner organisations based in Shropshire or Telford and Wrekin  
**Cost** - Free to attend  
**Booking** - Shropshire Partners in Care members can book [here](#) if you are not a member please email [dwarman@spic.co.uk](mailto:dwarman@spic.co.uk) to secure your place

The webinar will consider:

- The potential impact of experiencing domestic abuse on the individual employee and the workplace
- Your role as an employer
- Where you can signpost employees for support
- The legal basis for supporting employees experiencing domestic abuse
- What employers can develop in terms of support
- What policy and procedure can be put in place?



# **Telford and Wrekin Safeguarding Partnership Webinar with Shropshire Community Health NHS Trust and Shropshire, Telford and Wrekin Clinical Commissioning Group.**

**Pressure Ulcers** - 11th April 2022 - 10am - 11.30am (via Teams)

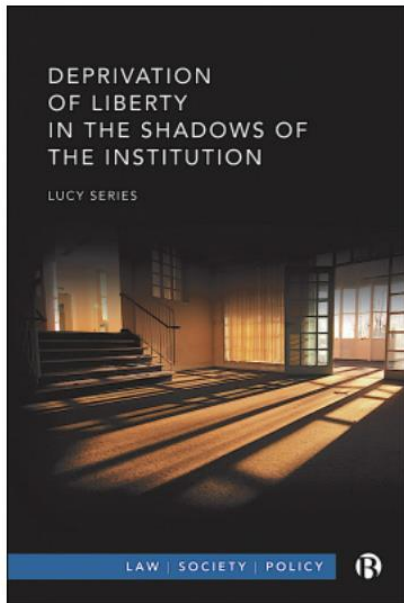
International Stop Pressure Ulcer Day was held in November with the aim to highlight the importance of preventing pressure ulcers as well as intervening promptly to any risks or signs of the development of pressure damage. Telford and Wrekin Safeguarding Partnership are delighted to announce their commitment to this action by hosting an online seminar to cover this important area. There will be 2 presentations from Jodie Jordan, Tissue Viability Service Lead for Shropshire Community Health NHS Trust and Rachel Jones, Deputy Designated Adult Safeguarding Professional for NHS Shropshire, Telford and Wrekin Clinical Commissioning Group.

The seminar will allow opportunity for open discussion and ensure that your knowledge and practice has the key elements to provide optimum care, to apply the Safeguarding Adults Protocol and to identify any areas of further development.

This session is free and open to all partners and will take place on 11th April 2022 between 10am - 11.30am, to book a place email the Partnership Team [partnerships@telford.gov.uk](mailto:partnerships@telford.gov.uk)



# Alex Ruck Keene talks to Dr Lucy Series about her new book (open access)



## Deprivation of liberty in the shadows of the institution – in discussion with Dr Lucy Series

March 29, 2022  Alex RK

In this conversation, I ask Dr Lucy Series about her book *Deprivation of Liberty in the Shadows of the Institution* (available [here](#), for free, thanks to the Wellcome Trust) looking at the tangled history of deprivation of liberty, social care detention, *Cheshire West* and its legacies, and the concept of the empowerment entrepreneur.



<https://www.mentalcapacitylawandpolicy.org.uk/deprivation-of-liberty-in-the-shadows-of-the-institution-in-discussion-with-dr-lucy-series/>

**Mental Capacity  
in the Context of  
Sexual  
Relationships and  
Intimacy**

**23rd May 2022  
Keele Hall, Keele  
University  
9.30am-4pm**

This event brings together academics and practitioners working on issues of mental capacity, sexual relationships and intimacy. It aims to take an interdisciplinary approach to the issues raised by recent legal developments around tests for capacity to consent to sex, contact and social media use, as well as wider issues impacting on the development and maintenance of intimate relationships. One of the key drivers of the event is the need for a multifaceted analysis of the issues raised, and the confirmed speakers range from legal and disability studies academics, legal practitioners, social workers and psychiatrists.

This one-day event will provide a space to explore;

- 1) the social context and development of the law in the area of mental capacity, sex, relationships and intimacy,
- 2) the doctrinal and practical challenges and
- 3) future research trajectories.

This is a free workshop (refreshments and lunch included), generously funded by the SLSA Seminar Scheme and Keele University. The number of participants is being kept small (max. 15) to enable the workshop to be interactive. We welcome participants from a range of disciplines given the interdisciplinary nature of the issues.

Please contact the organisers Dr Laura Pritchard-Jones ([l.g.pritchard-jones@keele.ac.uk](mailto:l.g.pritchard-jones@keele.ac.uk)) & Dr Beverley Clough ([b.clough@leeds.ac.uk](mailto:b.clough@leeds.ac.uk)) **by Friday 8<sup>th</sup> April** if you would like to attend. It would be helpful if you could state (in a couple of sentences) your **background and interest in this area**.

- The event will also provide an important opportunity to bring those with **lived experience and representatives from user groups** into the conversation through funding 3 spaces (travel and subsistence).
- We are keen to facilitate the participation of **early career researchers** and will reserve 2 spaces for PhD students (travel and subsistence).

The event aims to generate interest in a broader research network on this area of law, policy and practice. In particular, this will focus on generating creative and inclusive ways to bring those with lived experience of the law into conversations around law, practice and reform. **Please indicate whether you would be interested in being part of this network in the future. Please also indicate any accessibility or support requirements in your email.**



What can we do to prevent predatory marriage?

A recording of the webinar from 24<sup>th</sup> March 2022 will be loaded [here](#)

There is no legal definition of predatory marriage but the term refers to incidents where a person marries someone vulnerable to secure financial or other gains. Predatory marriage is a form of economic abuse.

Predatory marriage disproportionately impacts the older population, who are more likely to suffer multiple long-term health conditions. A typical example is when an older person with dementia or other cognitive impairment is taken advantage of by someone younger than them.

These types of relationships can be kept secret from vulnerable person's loved ones, who may only become aware of the marriage after their death. Under English law (section 18 of the Will Act 1837) marriage automatically revokes any previous wills. After death the spouse will often receive the majority or all of the deceased estate however short the marriage.

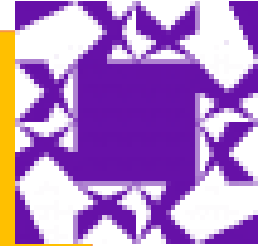
# Recorded Webinar - Creating Safe Care Home Environments by Removing the Barriers to Speaking Up

This webinar in partnership with Say So, a whistleblowing organisation, explores how safer care home environments can be built by removing the barriers to speaking up.

Creating Safe Care Home  
Environments By Removing the  
Barriers to Speaking Up -  
Hourglass Webinar watch [here](#)



## Domestic Abuse Myths and Stereotypes” Knowledge Share – Event Recording & Resources by ageukcomms



Last week, the Safeguarding Team delivered the second of their Knowledge Share series "Domestic Abuse Myths and Stereotypes". A big thank you to the 70 people attended the event. To watch the recording, [please click here](#).

The team spoke about the Supporting Older Survivors toolkit produced by Solace Women’s Aid which you can find [here](#) and also the Age UK report: [\*\*No Age Limit: The Hidden Face of Domestic Abuse\*\*](#)

# DBS Webinar November 2021



<https://www.youtube.com/watch?v=cH7wjxSNmLk>

PowerPoint slides here

<https://www.telfordsafeguardingpartnership.org.uk/downloads/file/138/dbs-slides>

- The role of the disclosure and barring service
- Understanding DBS checks and role eligibility including levels of checks and the workforce
- Understand when an employee/volunteer is eligible for a check
- Understand the DBS Update Service
- How regulated activity is defined and what this means in practice
- Understand what safe recruitment practices can be in place and how DBS checks can form a part of this.
- The three different referral routes
- When a DBS Barring referral should be made, including when the legal duty is met
- How regulated activity is defined and what this means in practice
- How to make a good quality referral
- Provide a clear understanding of the consequences of not making appropriate barring referrals and the consequences of being included in one or both Barred Lists

# RESOURCES



**Other Resources,  
Surveys and Research  
(some have been shared  
previously)**



# Domestic Abuse and Dementia

## DOMESTIC ABUSE AND THE CO-EXISTENCE OF DEMENTIA TOOLKIT

- The recording of the Webinar from Dewis Choice on 8<sup>th</sup> February 2022 to launch the Domestic Abuse and Dementia Toolkit will be available [here](#) or on the Dewis Choice [YouTube channel](#) with links to this and resources available on the Dewis Choice [social media](#) and [website](#).
- The PowerPoint from the event is [here](#)
- The toolkit is [here](#)

## Transforming the response to domestic abuse in later life: practitioner Guidance PRACTITIONER GUIDANCE SECOND EDITION

- Visit the website to download a copy here <https://dewischoice.org.uk/information-and-advice/resources/>
- Or order a free hard copy, email your details to [hello@dewischoice.org.uk](mailto:hello@dewischoice.org.uk)





**Do You See Me Trailer – a film about Older LGBTQ+ victim-survivors of domestic abuse - full film to be launched later in the year**

**Do You See Me Trailer – a [film](#) about Older LGBTQ+ victim-survivors of domestic abuse - full film to be launched later in the year [YouTube channel](#)**

**Toolkit launched 30<sup>th</sup> March 2022**

**LGBTQ+ Toolkit A Good Practice Guide working with older LGBTQ+ victim survivors of domestic abuse [here](#)**

# Adult Safeguarding

- **Revisiting Safeguarding Practice**

This briefing is for social workers and other safeguarding practitioners working in adult social care who are involved in safeguarding. It sets out the roles and responsibilities in relation to adult safeguarding in local authorities, including the statutory duties social workers and others with delegated responsibilities are expected to fulfil.

By Chief Social Worker for England, 28 January 2022 [here](#)

- **How to use legal powers to safeguard highly vulnerable dependent drinkers** by Professor Michael Preston-Shoot and Mike Ward , Alcohol Change UK. [Here](#)

REVISITING SAFEGUARDING PRACTICE





**National Network for Chairs**  
of Adult Safeguarding Boards

The Safeguarding Adults Review Library from the National Network for Chairs of Adult Safeguarding Boards.

This SAR library enables searches by the topics involved in a SAR so for instance you can identify SAR's which link to self-neglect.

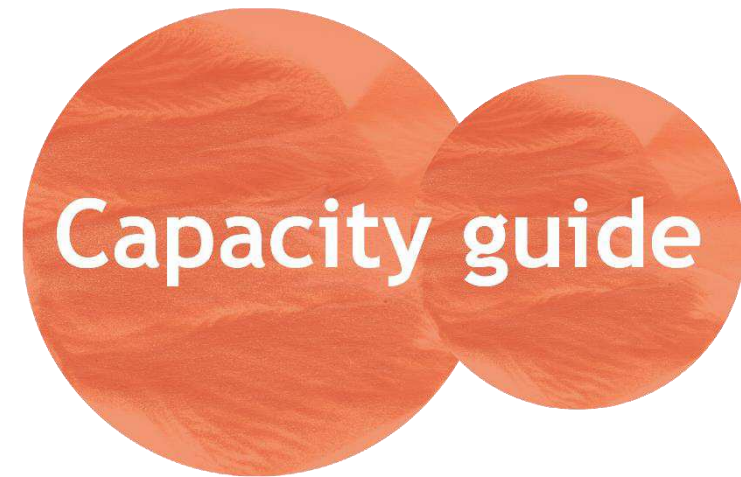
Safeguarding Adults Review Library (searchable) National Network for Chairs of Safeguarding Adults Boards

<https://nationalnetwork.org.uk/search.html>

# New capacity guidance website launched

As part of the Mental Health & Justice project <https://mhj.org.uk/>, a new website <https://capacityguide.org.uk/> has been launched with guidelines for clinicians and social workers in England & Wales (but also of interest to others, such as lawyers) who are assessing capacity.

A walk through of the new website can be accessed here from Alex Ruck Keene <https://vimeo.com/668643015?embedded=true...>





Disclosure &  
Barring Service

# DBS works with partners to create animated guide to DBS checks

The Disclosure and Barring Service (DBS) has recently worked with a number of organisations to create an animated 'guide to DBS checks' video, and accompanying leaflet.

The video and leaflet, which can be found below, look at a number of different subjects, including:

- the different types of DBS check, and how to apply
- what type of information may be included on DBS certificate
- what countries DBS covers
- the DBS Barred Lists

## Leaflet

- [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1059974/Quick Guide to DBS Checks.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1059974/Quick_Guide_to_DB_S_Checks.pdf)

## Video

- <https://www.gov.uk/government/news/dbs-works-with-partners-to-create-animated-guide-to-dbs-checks>



## How do you record and store your care records?

- The Institute of Health & Social Care Management is looking to get an idea of how social care providers record and store their care records. With integration with ICS's and ICB's a priority of the government for this year, the Institute of Health and Social Care Management is looking to get an idea of how social care providers currently record and store their care records. You can contribute by taking part in an online survey.
- The Survey can be accessed [here](#)



## **New Information Commissioner's Office Guidance on Using Video Surveillance**

The Information Commissioner's Office (ICO) has published guidance on the use of video surveillance technology such as CCTV, smart doorbells, and facial recognition technology. Care services who use this type of technology, or who are considering using it, should make sure they are aware of the new guidance and the guidance from CQC.

In addition, [Digital Social Care](#) are developing a template policy and data protection impact assessment (DPIA) for the use of CCTV in care services. If you would like more information or to be involved please contact them: [katie@digitalsocialcare.co.uk](mailto:katie@digitalsocialcare.co.uk)

Care Quality Commission Using surveillance in your care service [here](#)

Information Commissioners Office Video Surveillance [here](#)



# The multi-agency response for adults missing from health and care settings A national framework for England

A good practice framework for local partnerships to consider when developing protocols for the response when an adult goes missing from a health or care setting.

Home Office, Published 26 November 2021

<https://www.gov.uk/government/publications/the-multi-agency-response-for-adults-missing-from-health-and-care-settings-a-national-framework-for-england>



# Do you know about the Shropshire Safeguarding Community Partnership?

## 1. What is SSCP?

Shropshire Safeguarding Community Partnership is a single governance structure that covers adult and children's safeguarding as well as community safety.

To get the latest information, consider signing up to become a member of our networks by emailing: [sscpbusinessunit@shropshire.gov.uk](mailto:sscpbusinessunit@shropshire.gov.uk)

## 2. Strategic Plan and Priorities

The Partnership has set out a three-year plan which comes to an end at the end of March 2023.

You can read more about our plan and priorities here:  
<https://www.keepingadultssafeinshropshire.org.uk/media/1442/sscp-strategic-plan-and-priorities-final-revised-200122.docx>

## 3. Statutory Case Reviews

The Partnership is responsible for making sure that case reviews happen when people die or are seriously harmed because of abuse. The reviews are called:

- Domestic homicide Reviews
- Safeguarding Adult Reviews
- Children's Safeguarding Practice reviews
- Anti-Social Behavior Case Reviews

## 8. Reporting a crime

In life threatening situations call:  
**999**

To report a crime dial:  
**101**

For other information about community safety, please go to:  
<https://shropshire.gov.uk/crime-and-community-safety/>



## 4. Annual Reports

Historically, there have been separate structures and reports for children and adult safeguarding.

Please look out for the report explaining the activity of the partnership in 2020/21.

We expect to publish it in May 2022.

## 7. Reporting Adult Safeguarding Concerns

If you are concerned that an adult with care and support needs is experiencing or at risk of abuse, it's important to talk to them first and find out what they think and what they want to happen. If you still need to raise a concern, phone Shropshire Council's First Point of Contact on:

**0345 678 9044**

## 6. Reporting Concerns to Children's Services

There is a lot you can do with a child and their family before you get to this point. Before making a referral, please consult the Threshold Document

[Childrens Threshold Document - FINAL May 21.pdf \(procedures.org.uk\)](#)

## 5. Learning and Development

The Partnership encourages a multi-agency approach to training sessions. More information about our Learning and Development Strategy can be found here:

[Safeguarding Adult and Children Partnership Board Safeguarding Training Strategy \(shropshire.gov.uk\)](#)

To [login and apply for multi-agency training via Leap into Learning](#), click this link

ABOUT SHROPSHIRE  
SAFEGUARDING  
COMMUNITY PARTNERSHIP



Home Office

Modern Slavery: Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland Version 2.8. Updated, 9<sup>th</sup> of March 2022.

This guidance is for:

- First Responder organisations
- organisations with a duty to notify the Home Office when encountering a potential victim of modern slavery
- other organisations involved in the identification of potential victims of modern slavery
- decision makers at the National Referral Mechanism (NRM) competent authorities
- organisations offering support to potential victims and victims of modern slavery

<https://www.gov.uk/government/publications/modern-slavery-how-to-identify-and-support-victims>

Prevention of adult sexual and labour exploitation in the UK

Research considering what does or could work to prevent modern slavery

Published: 9th March 2022

This report, entitled, ‘Prevention of adult sexual and labour exploitation in the UK: What does or could work?’ is a Modern Slavery and Human Rights Policy and Evidence Centre (the Modern Slavery PEC) research project. It was developed by Elizabeth Such, Habiba Aminu, Amy Barnes, Kate Hayes (University of Sheffield), Modupe Debbie Ariyo (AFRUCA, UK BME Anti-Slavery Network), Robin Brierley (West Midlands Anti Slavery Network). The research was funded by the Modern Slavery PEC as part of our responsive research programme. The Modern Slavery PEC is funded by the Arts and Humanities Research Council.

This research explored what does or could work in the prevention of two forms of modern slavery among adults in the UK: labour and sexual exploitation. It examined what has been tried in prevention programmes, projects and initiatives, not including legal or policy interventions, and considered promising practice.

Access the research [here](#)

# Forced Marriage - Guidance Updated

Guidance Forced marriage  
How to protect, advise and  
support victims of forced  
marriage – information and  
practice guidelines for  
professionals.

From:  
Foreign & Commonwealth Office,  
Foreign, Commonwealth &  
Development Office, and Home Office.  
Last updated  
23 March 2022

## Recognise a forced marriage

A forced marriage is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage as they are pressurised, or abuse is used, to force them to do so. It is recognised in the UK as a form of domestic or child abuse and a serious abuse of human rights.

The pressure put on people to marry against their will may be:

- physical: for example, threats, physical violence or sexual violence
- emotional and psychological: for example, making someone feel like they are bringing 'shame' on their family

Financial abuse, for example taking someone's wages, may also be a factor.

**Training** - Awareness of Forced Marriage - Free Online Course <https://www.virtual-college.co.uk/resources/free-courses/awareness-of-forced-marriage>

# Safeguarding adults in care homes

NICE guideline [NG189] Published: 26 February 2021

This guideline covers keeping adults in care homes safe from abuse and neglect. It includes potential indicators of abuse and neglect by individuals or organisations, and covers the safeguarding process from when a concern is first identified through to section 42 safeguarding enquiries. There are recommendations on policy, training, and care home culture, to improve care home staff awareness of safeguarding and ensure people can report concerns when needed.

**NICE** National Institute for  
Health and Care Excellence



## Safeguarding adults in care homes

NICE guideline  
Published: 26 February 2021  
[www.nice.org.uk/guidance/ng189](https://www.nice.org.uk/guidance/ng189)

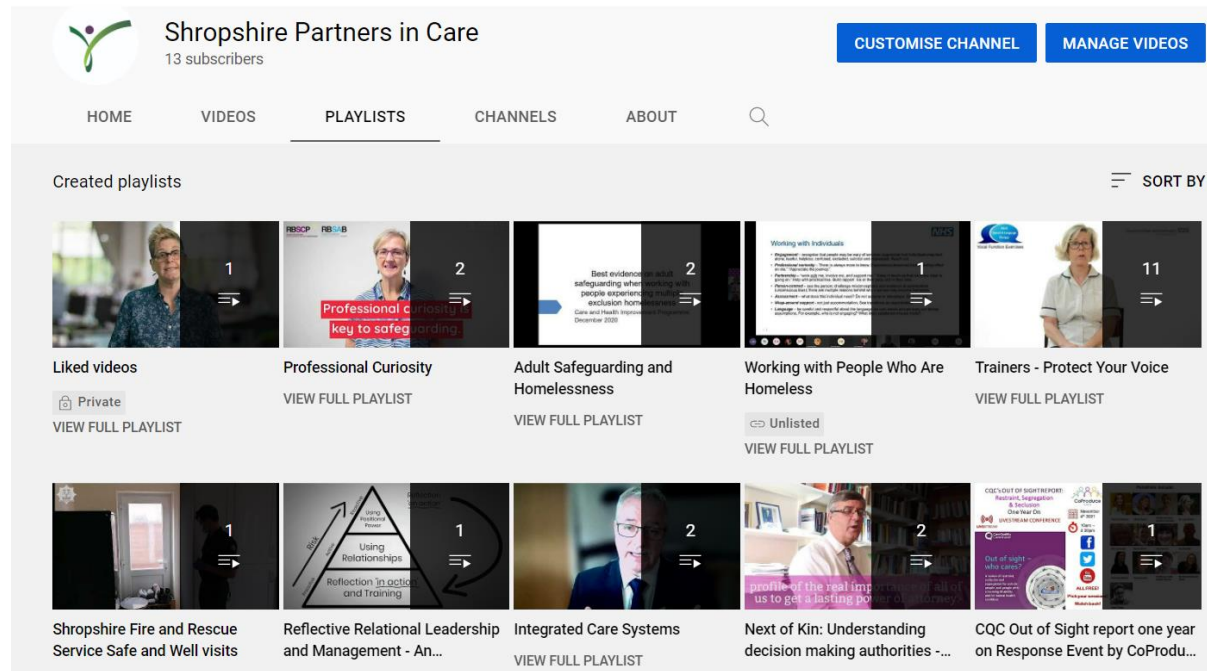
<https://www.nice.org.uk/guidance/ng189>

# Further Resources

Look under 'Playlists' for lots of safeguarding related films and events

## Shropshire Partners in Care YouTube Channel

[https://www.youtube.com/channel/UCQ4WOazrhYa3MS4JAgOLDtg/playlists?view\\_as=subscriber](https://www.youtube.com/channel/UCQ4WOazrhYa3MS4JAgOLDtg/playlists?view_as=subscriber)



The screenshot displays the YouTube channel page for 'Shropshire Partners in Care', which has 13 subscribers. The page is set to the 'PLAYLISTS' tab. Under the 'Created playlists' section, there are ten playlists visible, each with a video thumbnail and a play button icon. The playlists are:

- Liked videos**: Private, 1 video. [VIEW FULL PLAYLIST](#)
- Professional Curiosity**: 2 videos. [VIEW FULL PLAYLIST](#)
- Adult Safeguarding and Homelessness**: 2 videos. [VIEW FULL PLAYLIST](#)
- Working with People Who Are Homeless**: 1 video. [VIEW FULL PLAYLIST](#) (Unlisted)
- Trainers - Protect Your Voice**: 11 videos. [VIEW FULL PLAYLIST](#)
- Shropshire Fire and Rescue Service Safe and Well visits**: 1 video.
- Reflective Relational Leadership and Management - An...**: 1 video.
- Integrated Care Systems**: 2 videos. [VIEW FULL PLAYLIST](#)
- Next of Kin: Understanding decision making authorities - ...**: 2 videos.
- CQC Out of Sight report one year on Response Event by CoProdu...**: 1 video.

Including  
links to Alex  
Ruck Keens  
'Shedinar'  
series

<https://www.mentalcapacitylawandpolicy.org.uk/shedinars/>

**COVID-19 and the  
MCA 2005**

<https://www.mentalcapacitylawandpolicy.org.uk/resources-2/covid-19-and-the-mca-2005/>



**Mental Capacity Law and Policy  
website**

<https://www.mentalcapacitylawandpolicy.org.uk/>