



Prifysgol
Y Drindod
Univers
Trinity Saint

Learning from multi-agency reviews

Target Audience: Anyone who has involvement with domestic abuse & safeguarding children or adults in their role and with the ability to influence practice within their organisation.

Learning Outcomes:

- Opportunity to shape practice
- Reflect on cases
- Make a difference to how we work together
- Consider and identify risk
- Share good practice and learning
- Use a Think Family approach

Workshop Dates (full day):

- Monday 4th November Wrexham
- Monday 11th November Colchester
- Thursday 14th November Chelmsford
- Tuesday 19th November Harlow

Logos: SETDAB, Social Care, Adults Board



Working with Families



Multi-agency Working

Nathan Leynes



Every Child Matters, 2004



ECAY4005 Multi-Agency Working: Policy in Practice

Theme 4: Safeguarding & Data Protection (Part 2)

Trawsnewid Addysg; Trawsnewid Bywydau
Transforming Education; Transforming Lives



www.uwtsd.ac.uk

Learning Review

What did we look at in our previous session?



Multi-agency working and Data Protection

- We have already seen that, in many cases, effective multi-agency working is hampered by poor communication between professionals.
- This is often because staff are concerned about confidentiality and sharing personal data.

What do we mean by Personal Data?



Northern Ireland Council for Voluntary Action (2019)

Multi-agency working and Data Protection

- In order to set effective parameters on why and how personal data can be shared and number of statutes and regulations have been established, including;
 - The Data Protection Act (1998)
 - The EU General Data Protection Regulation (GDPR)
 - The Data Protection Act (2018)
 - The Wales Accord for the Sharing of Personal Information (WASPI)

Data Protection Act (1998)

The Data Protection Act (1998) established legal parameters for the recording, storing and sharing of information.

Under the Data Protection Act (1998):

- Personal information must be legally processed
- Information must be processed for a specific purpose
- Information must be accurate and up to date
- Information must be processed in line with the rights of the individual
- Personal data not transferred to territory outside the European Economic Area unless that territory has specific protection in place
- Personal information not kept longer than necessary, and disposed of responsibly
- Personal information should be adequate, relevant and not excessive to the purpose of their collection

Data Protection Act 1998



EU General Data Protection Regulation

The GDPR is one of the most significant changes to regulations regarding the privacy of personal data to have occurred in the last 20 years

As of May 2018 the GDPR established the following principles;

- Increased territorial scope (EU citizens personal information has some protection outside the EU).
- Increased penalties (4% of turnover or €20 million) for breaches.
- Consent requests need to be written in easily understandable language.
- Individuals can find out if data is being held on them.
- Individuals can ask for data held (e.g. on websites etc.) to be removed. This is known as the Right to be Forgotten.
- Privacy of Data must be designed into data handling systems from the outset.

European Commission (No Date)



EU General Data Protection Regulation

*Watch the video on the next slide
explaining the GDPR.*

*Make a note of any of the key issues or
features regarding the protection of
personal data.*



News

GDPR: Everything you need to know



Data Protection Act (2018)

The Data Protection Act (2018) enshrines the GDPR regulations in UK law and also added protections for data held now that the UK has left the EU.

- Provides a comprehensive and modern framework for data protection in the UK, with stronger sanctions for malpractice.
- Sets new standards for protecting general data, in accordance with the GDPR, giving people more control over use of their data, and providing them with new rights to move or delete personal data.
- Preserves existing tailored exemptions that have worked well in the Data Protection Act 1998, ensuring that UK businesses and organisations can continue to support world leading research, financial services, journalism and legal services.
- Provides a bespoke framework tailored to the needs of our criminal justice agencies and the intelligence services, to protect the rights of victims, witnesses and suspects while ensuring we can tackle the changing nature of the global threats the UK faces.

Department for Digital Media, Culture and Sport (2018)



Data Protection and Brexit

- As with all other aspects of life, Brexit has brought about changes
- Organisations that share personal data with organisations in other EU countries will need to be aware of these changes
- Two important sources for information are;

UK Government

<https://www.gov.uk/government/news/data-protection-and-brexit-is-your-organisation-prepared>

The Information Commissioner's Office

<https://ico.org.uk/for-organisations/data-protection-and-brexit/>

Multi-agency working and Data Protection

- In many examples the increase in data protection legislation can, and has, caused even more barriers to information sharing, such as;
- Organisations developing different and complex information governance standards
- Organisations becoming even more 'risk averse'.
- Increased concerns about people's capacity to give informed consent

Camden Council (No Date)

Multi-agency working and Data Protection

- The tension between data protection and information sharing is not new
- It has been an issue for all areas of multi-agency working for the last 20 years
- For example, when the Welsh Government was seeking to improve the support for young people in its policy document Extending Entitlement, Information Sharing was an important aspect



See in particular, Annex 11: Information Sharing

Welsh Government (2002)

Data Protection and Information Sharing

- Professional debates such as the one above led the Welsh Government to develop its own approach to effective information sharing
- The resulting Wales Accord for Sharing Personal Information (WASPI) provides guidelines for organisations in Wales



Sandberg (2019)

Wales Accord for Sharing Personal Information

- Enables service-providing organisations directly concerned with the safeguarding, to share relevant, minimum and appropriate personal information between them in a lawful, safe and informed way.
- Applies to all public sector organisations, third sector organisations and those (relevant) private organisations. In particular, it concerns those organisations that hold information about individuals and who may consider it appropriate or necessary to share that information with others.
- All Welsh Local Authorities, Health Boards/Trusts, Police Forces, Fire Services, a large number of charities and voluntary sector organisations have signed up to the Accord.

Safeguarding, Data Protection and Information Sharing Other Developments

- Alongside these legislative, regulatory and policy initiatives others development shave occurred
- Many of these have come out of the same debates that we have studied before in this Module.
- For example, in the *Extending Entitlement* document that we looked at previously, the role of a Children's Commissioner was discussed

Children's Commissioner

- Role created in 2001. Wales became the first country in the UK to appoint a Children's Commissioner. Peter Clarke was the first to be appointed.
- 2008 – Keith Towler
- 2015 – Sally Holland
- 2022 - Rocio Cifuentes
- Role of Commissioner: To Support, Listen, Advise, Influence, Speak up.

[Home - Children's Commissioner for Wales
\(childcomwales.org.uk\)](http://childcomwales.org.uk)



Children's Commissioner

- The Commissioner's work is also underpinned by the UNCRC and is summarised as the Four 'P's'
 - Promotion – of the UNCRC and rights of children
 - Participation – all children contributing as active citizens
 - Provision – of services and support to allow children to survive and thrive
 - Protection – from harm and exploitation

(Children's Commissioner for Wales, 2017)



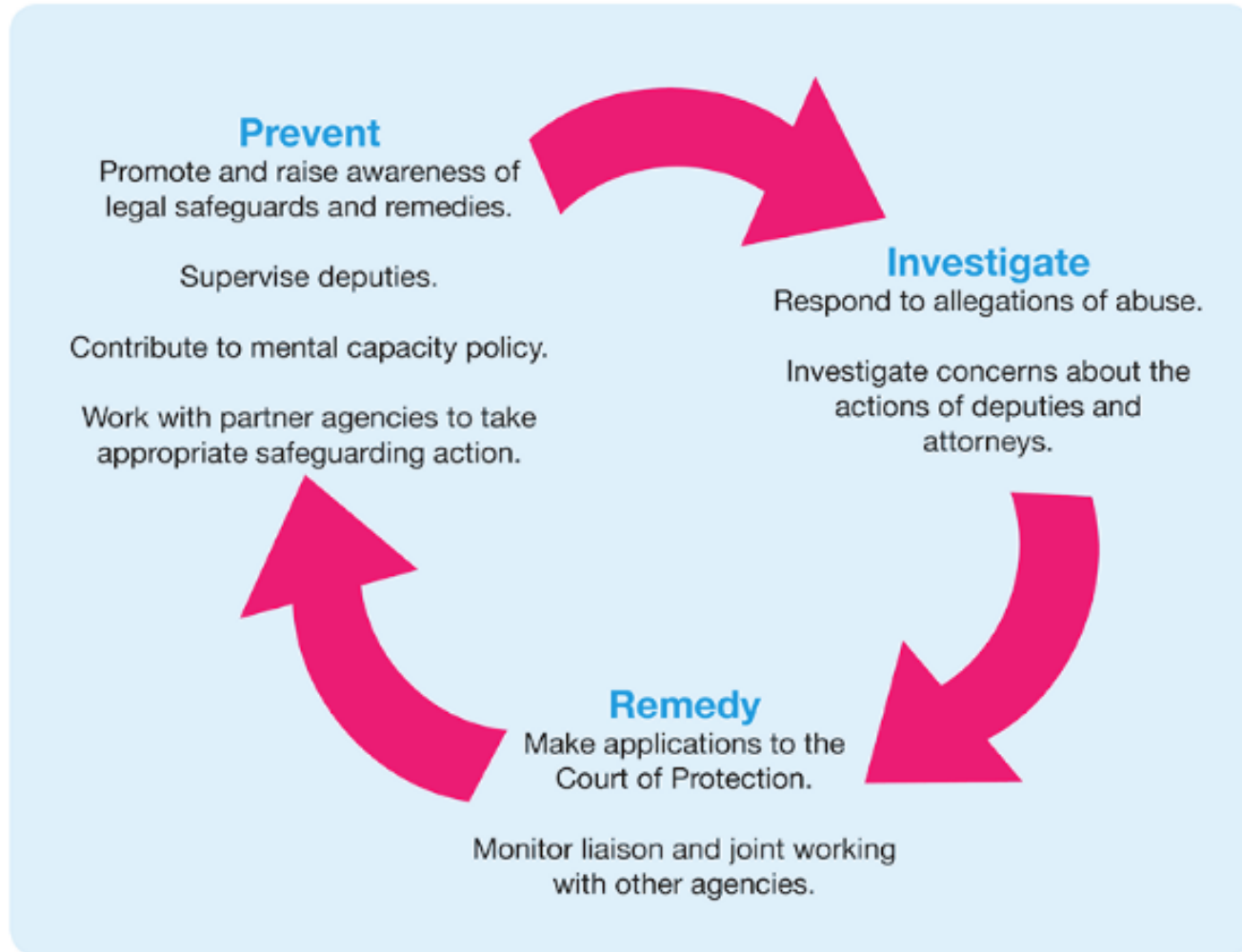
Safeguarding, Data Protection and Information Sharing

Other Developments

- However, it is not only children who need protection from harm and exploitation
- All adults have rights as established in the UN Declaration of Human Rights (1948)
- We have already discussed the fact that multi-agency working also applies to supporting adults in need
- Exactly the same barriers and issues apply to the protection of vulnerable adults.
- The UK Government following the Mental Capacity Act (2005) has established the 'Office of the Public Guardian' to oversee this area



The Office of the Public Guardian's (OPG) policy on protecting adults at risk of abuse or neglect



See OPG's procedures for data sharing

Safeguarding Vulnerable Adults



News > UK > Home News

Britain's cruellest care home: 'Institutional abuse' contributed to deaths of five pensioners

Coroner criticises Care Quality Commission for giving Orchid View a 'good' rating in 2010



Milmo (2013)

Safeguarding Vulnerable Adults

Study Skills

On the previous slide we looked at a news report on the Orchid View Care Home case. Take a moment to think about the following questions:

- 1. Do you think that this is the best source of information on this case?*
- 2. What alternative sources might you look for?*

Serious Case Review: Orchid View



Safeguarding Vulnerable Adults

The Telegraph

Soaring abuse of elderly amid warnings care system 'disintegrating'

The number of cases referred to social services under safeguarding rules has soared, new figures show, with more than 5,600 referrals last year - an increase of 33 per cent in two years.

By **Laura Donnelly**, HEALTH EDITOR

30 JUNE 2017 • 6:01AM

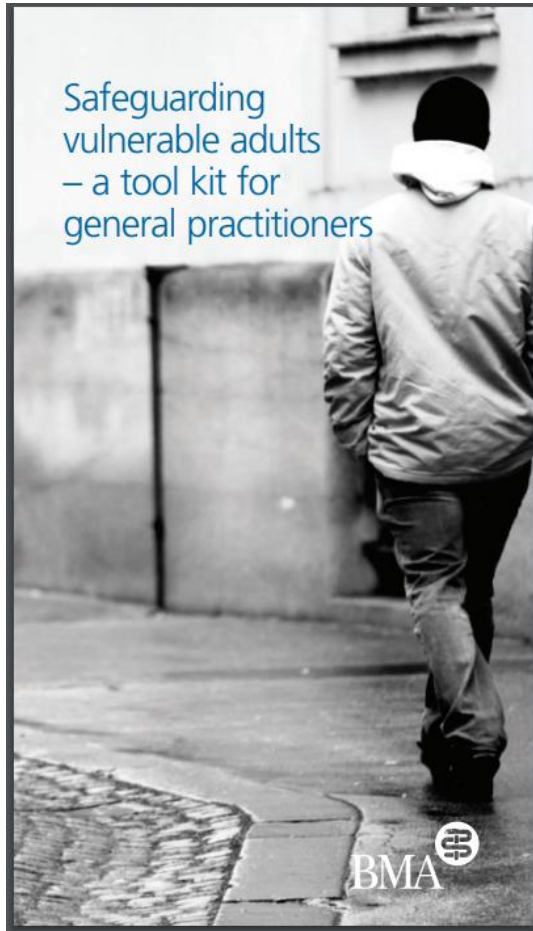
Questions:

How do we tackle the issue?

What procedures are in place to prevent these problems?

How has policy changed in light of public scandals?

Safeguarding Principles for Vulnerable Adults



Professional organisations such as the British Medical Association have produced documents outlining the key principles of safeguarding vulnerable adults e.g.:

- Principle 1 – Empowerment
- Principle 2 – Protection
- Principle 3 – Prevention
- Principle 4 – Proportionality
- Principle 5 – Partnership
- Principle 6 – Transparency and accountability

British Medical Association (2011)

Close Reading Exercise

- We have already discussed the influence of legislation and policy on multi-agency working

As a group look at one of these documents (On Moodle – Key Resources part 2):

- Every Child Matters 2003
- The Children's Act 2004
- Children and Young People – Rights to action
- Working together to Safeguard Children 2018

What do these documents have to say about Multi-Agency Working?

Safeguarding, Data Protection and Information Sharing

Other Developments

- An amendment to the Mental Capacity Act (2005) established the Deprivation of Liberty Safeguards (DoLS) which has been reviewed by Parliament
Study Skills Question: Do you think that the SCIE is a reliable source?
- This gave rise to the Mental Capacity (Amendment) Act 2019 which replaced DoLS with Liberty Protection Safeguards (LPS)
- However, there were fears, for example from the Law Society that personal freedoms would be removed.
- The proposed deadline for the introduction of LPS was moved from Spring to October 2020 and is now due to take place in April 2022



Safeguarding, Data Protection and Information Sharing

Other Developments

- The Safeguarding Vulnerable Groups Act (2006) established legal parameters for the safeguarding of vulnerable adults (SOVA), previously this had been the protection of vulnerable adults (POVA) duty
- Regulatory bodies were set up to register, regulate and improve care services, for example;
 - The Care Quality Commission (for England) 
 - The Care Inspectorate Wales 

Safeguarding, Data Protection and Information Sharing Other Developments

Older People's Commissioner for Wales will take action to:

- Increase the awareness of the abuse of older people amongst professionals and across wider society
- Improve the access to support services for older people at risk of or experiencing abuse
- Enable more older people who experience abuse to access legal justice
- Prevent incidences of abuse of older people



Older People's Commissioner for Wales (2016)

Safeguarding, Data Protection and Information Sharing Other Developments

The Social Services and Wellbeing (Wales) Act 2014

- This legislation seeks to bring together the strands that we have looked at in this, and previous themes, namely;
- Multi-agency working
- Safeguarding and information sharing
- Confidentiality and data protection



The Social Services and Wellbeing (Wales) Act 2014

Welsh Government (2014)

It does so by making the following changes:

- People have control over what support they need, making decisions about their care and support as an equal partner
- New proportionate assessment focuses on the individual
- Carers have an equal right to assessment for support to those who they care for
- Easy access to information and advice is available to all
- Powers to safeguard people are stronger
- A preventative approach to meeting care and support needs is practised
- Local authorities and health boards come together in new statutory partnerships to drive integration, innovation and service change

The Social Services and Wellbeing (Wales) Act 2014

Definitions and National Statements

Definition of well-being	National well-being outcome statements
Securing rights and entitlements Also for adults: Control over day-to-day life	I am treated with dignity and respect and treat others the same My voice is heard and listened to My individual circumstances are considered I speak for myself and contribute to the decisions that affect my life, or have someone who can do it for me
Physical and mental health and emotional well-being Also for children: Physical, intellectual, emotional, social and behavioral development	I am healthy and active and do things to keep myself healthy I am happy and do the things that make me happy I get the right care and support, as early as possible
Protection from abuse and neglect	I am safe and protected from abuse and neglect I am supported to protect the people that matter to me from abuse and neglect I am informed about how to make my concerns known
Education, training and recreation	I can learn and develop to my full potential I do the things that matter to me
Domestic, family and personal relationships	I belong I contribute to and enjoy safe and healthy relationships
Contribution made to society	I engage and make a contribution to my community I feel valued in society
Social and economic well-being Also for adults: Participation in work	I contribute towards my social life and can be with the people that I choose I do not live in poverty I am supported to work I get the help I need to grow up and be independent I get care and support through the Welsh language if I need it
Suitability of living accommodation	I live in a home that best supports me to achieve my well-being

The Social Services and Wellbeing (Wales) Act 2014

- Whilst the Welsh Government website is being re-developed some of the resources are difficult to track down
- However, there is a You Tube channel which contains videos on different aspects of the Act.



The Social Services and Wellbeing (Wales) Act 2014

- We have discussed at length the barriers to and issues for multi-agency working at some length
- However, all of the changes outlined above seek to improve the situation
- When multi-agency working is effective it can make a huge difference to a person's life
- For example, Granville's Story - Glan Irfon Integrated Health and Social Care Centre



Powys County Council (2016)

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British Medical Council (2011) *Safeguarding vulnerable adults: a tool kit for General Practitioners* Available at: <https://www.bma.org.uk/advice/employment/ethics/adult-safeguarding-ethics-toolkit> [Accessed 30th October 2019]

Camden Council (No Date) *Overcoming barriers to information sharing: the Camden Experience* Available at: <https://www.skillsforcare.org.uk/Documents/NMDS-SC-and-intelligence/Informatics/Webinar-packs/Overcoming-the-barriers-to-information-sharing-Camden.pdf> [Accessed 30th October 2019]

Children's Commissioner for Wales (2017) *The Right Way: A children's Rights Approach in Wales* Swansea: Children's Commissioner for Wales
Available at: <https://www.childcomwales.org.uk/wp-content/uploads/2017/04/The-Right-Way.pdf> [Accessed 30th October 2019]

Channel 4 News (2019) *GDPR explained: How the new data protection act could change your life* Available at: <https://www.youtube.com/watch?v=acijNEErf-c> [Accessed 30th October 2019]

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Data Protection Act 1998 c.29 Elizabeth II Available at:

<http://www.legislation.gov.uk/ukpga/1998/29/contents> [Accessed 30th October 2019]

Department for Digital Culture, Media & Sport (2018) *Data Protection Act 2018:*

Factsheet – Overview Available at:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/711162/2018-05-23 Factsheet 1 - Act overview.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/711162/2018-05-23_Factsheet_1_-_Act_overview.pdf) [Accessed 30th October 2019]

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Milmo, C. (2013) *Britain's cruellest care home: 'Institutional abuse' contributed to deaths of five pensioners* Independent Online Available at:
<https://www.independent.co.uk/news/uk/home-news/britains-cruellest-care-home-institutional-abuse-contributed-to-deaths-of-five-pensioners-8889770.html>
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Old People's Commissioner for Wales (2016) *Stopping the abuse of older people* Available at: <http://www.olderpeoplewales.com/en/stopping-abuse.aspx> [Accessed 30th October 2019]

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Sandberg, M (2019) *What is WASPI?* WASPI

Available at: https://www.powtoon.com/online-presentation/c5Jj62gB4ut/?utm_campaign=email%2Bshare%2Bby%2Bowner&utm_medium=SocialShare&mode=movie&utm_source=player-page-social-share&utm_content=c5Jj62gB4ut [Accessed 30th October 2019]

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<https://gov.wales/sites/default/files/publications/2018-02/direction-and-guidance-extending-entitlement-support-for-11-to-25-year-olds-in-wales.pdf> [Accessed 30th October 2019]

Welsh Government(2014) *Social Services and Wellbeing (Wales) Act 2014: The Essentials* Available at:

<https://gweddill.gov.wales/topics/health/socialcare/act/?lang=en> [Accessed 30th October 2019]

New Weblinks

The following are weblinks used in the last part of this Theme which were added to support distance learning;

- Law Society, The (2019) *Mental Capacity (Amendment) Act 2019* Available at: <https://www.lawsociety.org.uk/practice-areas/p/private-client/articles/mental-capacity-amendment-act-2019/> [Accessed 22/03/2020]
- *Mental Capacity (Amendment) Act* (2019) Available at: <http://www.legislation.gov.uk/ukpga/2019/18> [Accessed 22/03/2020]
- Older People's Commissioner for Wales (2016) *Commissioner's Role* Available at: <https://olderpeoplewales.com/en/about/commissioners-role.aspx> [Accessed 22/03/2020]
- SCIE (2019) *Liberty Protection Safeguards (LPS): Latest developments* Available at: <https://www.scie.org.uk/mca/dols/practice/lps> [Accessed 22/03/2020]
- UK Parliament (2019) *Reform of the Deprivation of Liberty Safeguards and the Mental Capacity (Amendment) Bill: Government response published* Available at: <https://www.parliament.uk/business/committees/committees-a-z/joint-select/human-rights-committee/news-parliament-2017/deprivation-liberty-safeguards-mental-capacity-bill-govt-response-17-19/> [Accessed 22/03/2020]