

Safeguarding and addiction

Presented by
Fiona Bateman, BSAB Indep. Chair

Welcome to our monthly Lunch and Learn session

Webinar house keeping

- Please put all microphones on **MUTE**
- If you would like to ask a question, please use the **CHAT** function
- **RESPECT** the stories you hear and protect the identity of adults at risk through **CONFIDENTIALITY**
- Take care of your own **WELLBEING** throughout this session



How to report concerns in Barnet

Social care direct at Barnet council are the point of first contact

- **Tel 020 8359 5000 text (SMS) 07506 693707**
email socialcaredirect@barnet.Gov.Uk

Police community safety unit in an **emergency 999**

- **Tel 020 8200 1212 email sxmailbox-tib@met.Pnn.Police.Uk**

- What happens after you report abuse:

<https://www.Barnet.Gov.Uk/sites/default/files/assets/citizenportal/documents/adultsocialcare/whathappensafteryoureportabusebookletmay12.Pdf>

- Your concern should always be taken seriously and acknowledged. Usually, the adult at risk will be consulted and you should always be told if the concern will be investigated.
- If you haven't had this- it is ok to ask again!



Discussion

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How often are you asked to assess or provide advice/ information to support someone at risk due to addiction?

How do you ensure that risks of abuse, neglect or exploitation form part of those discussions/ assessments?

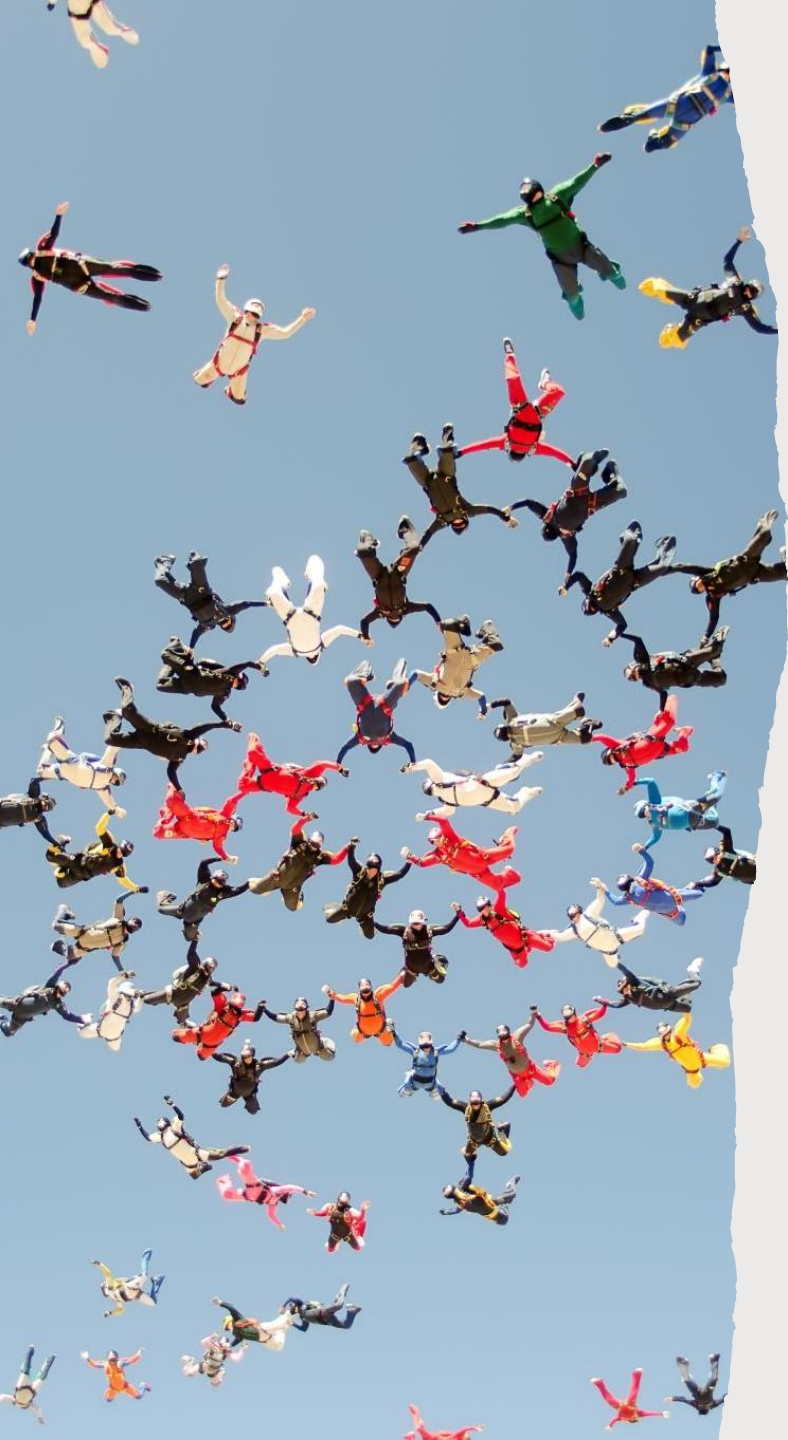
What are the main challenges?



Alcohol dependancy

- National research and local policy identifies heightened safeguarding risks attributed to alcohol misuse and resulting self-neglect.
- In 2020 there were 8,974 alcohol-specific deaths in the UK, it is estimated that there are over 600,000 dependent drinkers in the UK with only 18% in treatment (a fall of 19% since 2013/14). As well as causing enormous harm to individuals and families, alcohol has a significant impact on society, in part through the pressure it places on public services. In 2015, 167,000 years of working life were lost as a result of alcohol, and it has been estimated that the annual cost of alcohol to the economy is around £7 billion. In 2017 there were 337,000 hospital admissions caused primarily by alcohol.
- Alcohol is linked to over 50% of all violent crime (and a much higher proportion in the evening and at weekends), which equates to around 700,000 offences annually. The total social cost of alcohol to society is estimated to be at least £21 billion.





Learning from SARs

- A search of the national SAR repository identifies over 260 cases since 2019 where alcohol misuse was a factor.
- There isn't always a clear distinction in complex, risk cases between safeguarding responsibilities and partners statutory functions, including the provision of suitable accommodation or safe and appropriate treatment, care and support.
- Remember the duties to cooperate and ensure continuity of care is not limited to s42 duties, so it is possible (and preferable) to pull together MDT meetings before safeguarding issues arise. A 'team around the adult' approach is proven to be the most effective to reduce risk and needs and protect staff wellbeing!

Learning from Case law

London Borough of Tower Hamlets v PB [2020]
EWCOP 34

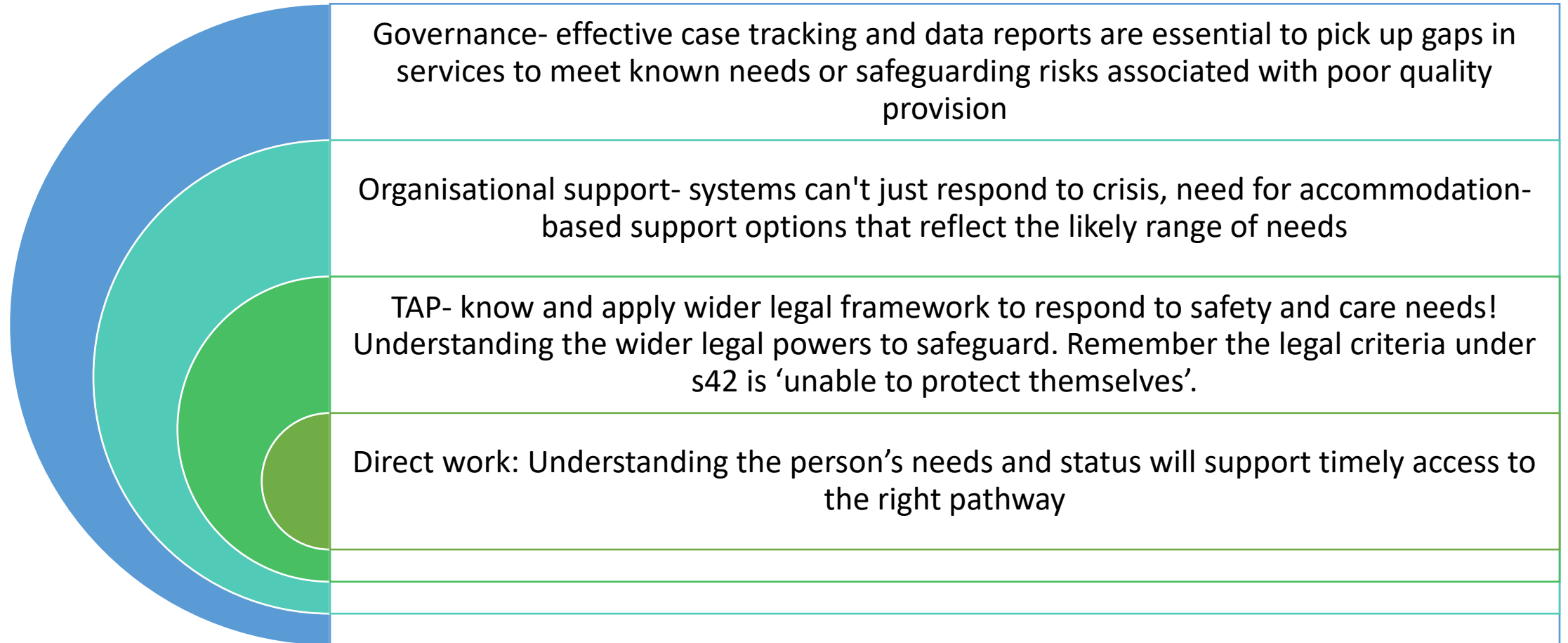
Mr Justice Hayden held that the fact PB seriously overestimated his ability to keep his alcohol use under control was not enough to establish a lack of capacity.

He warned that not every addict in some degree of denial can be regarded as incapacitous.

He also explained the requirement to be able to understand the “reasonably foreseeable consequences” of a particular decision does not mean that the relevant person must accept the professions’ view that they will not be able to control their drinking.



Learning from Safeguarding review-What good looks like!



Balancing obligation:
Respecting capacious
decision where the
adult at risk's ability to
keep themselves safe
is likely to fluctuate is
extremely complex!

Rarely are people making a 'lifestyle choice'! Ascertaining a person's agency in complex situations can be extremely difficult, particularly where there is strong evidence of fluctuating capacity (often associated with self-neglect and/or alcohol dependency) or a divergence between how an adult 'performs' during an assessment process and how they execute decisions in real life situations. Within their practical guide for practitioners, Ward and Preston-Shoot list the physical and emotional conditions most dependent drinkers display to challenge the idea that alcohol dependency is a self-determined choice. This is supported by NICE guidance on executive capacity.

The safeguarding function requires us to evaluate the adult at risk's 'ability to protect themselves' and rather than the capacity to make decisions.

This duty sits alongside a general duty to carry out all social care functions in a way that promotes an adult's wellbeing. The 'wellbeing principle' includes a focus on personal dignity, choice and control, but there *'is no hierarchy, and all should be considered of equal importance when considering 'wellbeing' in the round'*. As such, equal weight should be attributed to duties to protect health and against abuse or neglect. Ultimately, the duty to protect life (protected under article 2, Human Rights Act 1998) requires all public bodies to do whatever is within their legal powers where risk is real and imminent to act to reduce risk.

Support in Barnet

- BSAB has a risk panel to support practitioners working with complex, high risk cases where MDT input has not reduced risk.
- BSAB will also shortly publish a SAR where two adults with care and support needs (including addiction) died. The findings of this review will be shared widely and an action plan developed to address gaps so that future harm can be prevented.
- BSAB and the Combating Drugs Partnership are working together to develop a strategy to provide quality support to those impacted by addiction.

What more is needed? What would support improvement in multi-agency practice?



Further information is available at:

- Alcohol change on ‘learning from tragedies’ (2019) <https://alcoholchange.org.uk/publication/learning-from-tragedies-an-analysis-of-alcohol-related-safeguarding-adult-reviews-published-in-2017>
- Ward and Preston-Shoot [2021] ‘*How to use legal powers to safeguard highly vulnerable dependent drinkers*’ for Alcohol Change UK, available at <https://s3.eu-west-2.amazonaws.com/files.alcoholchange.org.uk/documents/Safeguarding-guide-final-August-2021.pdf>
- NICE (2018) *Decision Making and Mental Capacity*. London: National Institute for Health and Clinical Excellence.
- Good search engine for UK and European case law: <https://www.bailii.org>

