

## Welcome from the chair of the HSAB (Visva Sathasivam)

Welcome to the Spring 2019 edition of the HSAB's quarterly newsletter.

This is the last time I will be writing the foreword to the newsletter, as I have decided to leave Harrow due to the caring responsibilities that I have taken in relation to family members abroad. Thank you so much for all your excellent support since I became the HSAB chair. A lot has been achieved, but we are not complacent – so I wish you all the best for the future. In the Autumn 2018 newsletter we covered the learning from the Safeguarding Adults Review (SAR) in relation to “Mendip House” which was carried out by Somerset’s Board. Some recent media coverage about how this case was dealt with in the Courts is reproduced below and makes for disturbing reading. Suggestions for the newsletter can be sent to either Sue Spurlock ([sue.spurlock@harrow.gov.uk](mailto:sue.spurlock@harrow.gov.uk)) or Seamus Doherty ([seamus.doherty@harrow.gov.uk](mailto:seamus.doherty@harrow.gov.uk)).

## Learning from Safeguarding Adults Reviews (SARs): “Ms C” (Somerset)

The following key messages arose from the findings of a recent case review in Somerset about a young woman (Ms C) with learning disabilities who was the victim of both domestic violence and sexual exploitation.

### ***‘Failure to recognise key features of sexual exploitation, including coercion and control, disclosures and retractions’***

- sexual relationships should always be consensual. If a person is unable to consent, or has not consented to sexual activity, then this is considered to be sexual assault
- some people with learning disabilities are unable to understand/make decisions about sexual activity. If this is the case, then anyone who engages in sexual activity with them commits a criminal offence
- in relation to sexual activity, consent is not valid when someone: does not understand they can refuse sexual activity; does not know how to refuse; is offered a reward for sex; or is scared to refuse because of threats
- in some cases there will be genuine doubt about capacity – e.g. it may be felt that the person can understand some types of sexual activity but not the consequences, or that they can consent with one person while another relationship appears abusive. These situations are complicated and need to be carefully assessed by those involved in care and support. The person may need some independent advocacy

- doubts about understanding and communication should never be a reason not to report or acknowledge abuse
- people with a learning disability have a right to engage in consensual sexual activity and a right to respect of their private life, but can be particularly vulnerable to sexual abuse and assault for a number of reasons. They may: have low self-esteem and therefore lack power within relationships; depend on care staff/services over long periods; not possess the social awareness or education to detect or anticipate abusive situations and may lack sexual knowledge and assertiveness; be afraid to challenge potentially abusive situations; lack the capacity to consent to sexual relations; experience guilt or shame that prevent them reporting abuse
- sexual abuse is a major violation of human rights and yet the rates of disclosure for people with learning disabilities are low and the prosecutions even lower
- it is important to recognise the importance of on-going sex education, to help those with learning disabilities to recognise appropriate sexual behaviour and the difference between consensual experiences and sexual abuse
- check your own assumptions and preconceived ideas to ensure you are alert to the signs of sexual abuse and exploitation
- many people with learning disabilities become accustomed to not having any choice



## Keeping a person's history in mind

*'Failure to take Mr H's previous history of sexual offending into account because it had not led to a conviction'*

- social work assessment has always been concerned to consider past events and their relevance to a person or families' current situation. Past life events are found in most of the indicators of risk produced
- chronologies are often thought of in the context of work with children and young people, but have equal relevance in work with adults. They should seek to provide a clear account of all significant events in a person's life to date, drawing upon the knowledge and information held by agencies involved in their care. The purpose of a chronology is early indications of emerging patterns of concern
- recent inquiries into the care of children, adults at risk and people who commit serious crimes have all concluded that a chronology could have helped towards earlier identification of risks to the person, or from them
- a chronology should be a useful tool in assessment and practice. It should not be an assessment or an end to itself, but form part of assessment, as a working tool promoting engagement with people who use services. It should be accurate, and relies on good, up to date case recording. It should contain sufficient detail but not substitute recording in the case file or record. It should be flexible – detail collected may be increased as risk increases

**Do you or your Team know anyone with a learning disability that might be at higher risk from these issues?**

## Mendip House



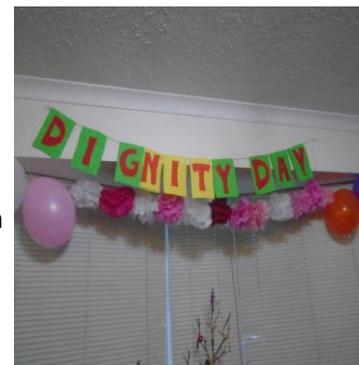
A registered care home managed by the National Autistic Society (NAS), providing accommodation and specialist support for six adults with autism. Staff were reportedly seen playing on computer games rather than doing their duties and failing to notice one woman had absconded. They took money from residents to buy themselves meals and residents had been taunted, bullied, mistreated and humiliated. Yet recently it emerged that the owners of this centre would not face prosecution for such appalling failings.

They were just asked to pay a £4,000 fixed penalty notice as if guilty of a traffic offence following a decision to prosecute the financial fraud rather than abuse.

This news made few headlines – although such a small fine was barely more than one week's funding for one of the abused residents. There have been no criminal prosecutions. Yet these events at Mendip House were the most disturbing such abuse to emerge since the scandal of Winterbourne View was exposed eight years ago by the BBC's Panorama programme.

## Dignity Action Day 2019

Dignity Action Day is a day to celebrate all that you and your colleagues have accomplished in delivering dignified care. It is also a day to celebrate with those people at the centre of your care.



The Safeguarding Adults

Board would like to say a big **"Thank You!"** to all the local domiciliary care agencies and care homes that supported Dignity Action Day 2019 by holding a Digni-tea event or similar. 😊



## Safeguarding in faith communities

The Social Care Institute for Excellence recently ran a multi-agency breakfast event regarding the role of churches and faith based groups in the lives of children, young people and adults.

The report and their findings are an interesting read and can be found here: <https://www.scie.org.uk/safeguarding/faith-groups/communities>



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