



West London Mental Health **NHS**
NHS Trust

Tripartite agreement into the management and
assessment of Adult Safeguarding concerns within
Broadmoor Hospital

Introduction and background

This agreement establishes a framework for the management and assessment of adult safeguarding alerts within Broadmoor Hospital. This agreement is between Bracknell Forest Borough Council (BFC), The West London Mental Health NHS Trust (The Trust) and the London Borough of Ealing (LB of E) and has been endorsed by the Bracknell Forest Safeguarding Adults Partnership Board

Broadmoor Hospital is situated in the village of Crowthorne within the borough of Bracknell Forest. The Hospital is managed and run by West London Mental Health NHS Trust and the social work service, is provided by the London Borough of Ealing.

This agreement is based on five guiding principles:

- **Clear accountability.** Each organisation must be accountable for its actions, so each must have unambiguous and well defined responsibilities;
- **Transparency.** Parliament, Government and the public must know who is responsible for what;
- **Avoidance of duplication.** Each organisation must have a clearly defined role, to avoid assumptions, inefficiency and the unnecessary duplication of effort. This will help ensure proper accountability;
- **Regular information exchange.** This helps each organisation to discharge its responsibilities as efficiently and effectively as possible; and
- **Collaborative working.** Each organisation will proactively take action to maintain and strengthen joint working arrangements.

Legal and policy framework

In developing this agreement all parties are cognisant of the following key legislative and policy frameworks

- Department of Health (2000) 'No Secrets
- Home Office (2000) 'Achieving Best Evidence in Criminal Proceedings'
- Berkshire Safeguarding Adults Policy and Good practice manual
- Public Interest Disclosure Act 1998
- Data Protection Act 1998
- The Freedom of Information Act 2000
- Mental Health Act 1983 (as amended)
- Mental Capacity Act 2005
- Health and Social Care Act 2008
- Human Rights Act 1998
- Relevant Codes of practice, guidance, regulations, NHS and LA circulars and case law pertinent to a high secure hospital setting.

The Berkshire Adult Safeguarding policy and good practice manual is the operational policy that will be adhered to for responding to safeguarding alerts with the hospital. The Manual is available online via:

http://www.proceduresonline.com/berks_adult_sg/

Organisational responsibilities, in relation to adult safeguarding within the hospital.

West London Mental Health NHS Trust.

The Trust is responsible for the provision of mental health care within the Hospital. As a regulated service provider, the Trust is required to ensure that the service provided at Broadmoor is in line with the prevailing standards set by parliament and monitored by the Care Quality Commission (including those monitored by Mental Health Act Commissioners). To enable the trust to meet these responsibilities it will:

- Work in partnership with the social work department within the hospital to ensure that there is an effective process in place to respond to safeguarding alerts within the hospital.
- Provide an appropriate level of training to all staff within the hospital on adult safeguarding and monitor its effectiveness.
- Ensure that there are systems in place to monitor the quality of care provided in the hospital and that these systems are linked (where relevant) to the safeguarding procedures within the hospital).
- Be an active participant of the Bracknell Forest Safeguarding Adults Partnership Board

London Borough of Ealing (LB of E)

The LB of E provides the social work service within the hospital. A core element of this service is to co-ordinate responses to safeguarding alerts within the hospital. The LB of E staff within the social work team are responsible for adhering to the prevailing legal framework, pan Berkshire Safeguarding Adults Policy and good practice manual, and any locally agreed practice guidance. To enable the LB of E to meet these responsibilities it will:

- Work in partnership with the clinical staff within the hospital to ensure that there is an effective process in place to respond to safeguarding alerts within the hospital.
- Ensure that its workforce in the hospital is appropriately skilled, trained and knowledgeable on adult safeguarding issues in order to provide appropriate responses to safeguarding alerts.
- Ensure that there are systems in place to monitor safeguarding alerts within the hospital so that themes or trends can be identified and brought to the attention of the hospital's senior management where appropriate.
- To provide the Bracknell Forest Safeguarding Adults Partnership Board with an annual report on Adult Safeguarding activity within the hospital.
- Provide the Council with performance data on a quarterly basis so that the Council can include this within any statutory returns. The format for the data will be agreed in advance by both parties.

- Be an active participant of the Bracknell Forest Safeguarding Adults Partnership Board

Bracknell Forest Council (The Council)

As the 'host' local authority the Council is responsible for providing local leadership on adult safeguarding and for ensure that there are effective local arrangements in place to respond to adult safeguarding issues. The Council is also responsible for ensuring its Adult Social Care provision, meets the requirements set out in No Secrets. To enable the Council to meet these responsibilities it will:

- Work in Partnership with the Trust and London Borough of Ealing to ensure that local arrangements for responding to adult safeguarding issues within the hospital are robust and in line with prevailing legal and best practice framework.
- Make adult safeguarding training available to staff working within the hospital, (including social work staff) that are within staff groups B and C, as defined in the East of Berkshire safeguarding adult's workforce development strategy, for which a charge may be made.
- Provide advice to the social work team within the hospital on complex adult safeguarding issues.

When Bracknell Forest Council should be contacted for advice.

The social work team within the hospital has the capacity and ability to respond to the majority of safeguarding alerts. However on occasion it will contact Bracknell Forest Council (Head of Adult Safeguarding) for specialist advice on particularly complex adult safeguarding alerts. The following circumstances detail when it would be appropriate for the LB of E staff to seek advice from Bracknell Forest Council on adult safeguarding matters:

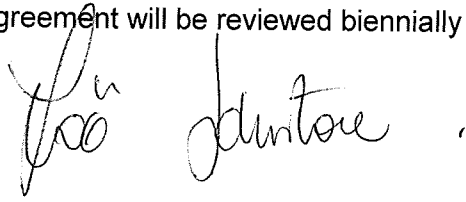
- Disputes between the Trust and the Social Work Team regarding the most appropriate way to proceed with a safeguarding alert (all attempts should be made by the staff within the social work team and the trust to resolve this at a local level prior to contact being made to Bracknell Forest Council)
- Where consideration is being given to an application to the Court of Protection regarding an adult safeguarding issue within the hospital. However legal advice will not be provided by Bracknell Forest Council, but by the party or parties making or responding to the application.
- Other circumstances where the social work manager in the hospital judges that the Councils advice would be of benefit to the safety and welfare of a patient within the hospital.

Complaints

If a complaint is made by a patient and or their carer or someone acting on their behalf about the safeguarding process this will be addressed via the London Borough of Ealing's adult social care complaints procedure. The outcome of all complaints covered by this agreement will be shared with Bracknell Forest Council.

Review

This agreement will be reviewed biennially by all parties.



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