



# **Multi-Agency Mental Capacity Act & Deprivation of Liberty Safeguards Competency Framework**

WSAB LD 02

## Document Control

- **Ratified by WSAB**
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## Revision History

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8 <sup>th</sup> December 2016	2	Amendment of Appendix 1 to include 'Evidence' and 'RAG' columns	Sarah Foster

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## Actions

Required Actions	Date
Upload to Website Raised with Community Awareness & Prevention for communication	20/6/2016
Raised with Community Awareness & Prevention	20/6/2016

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## **1.0 Purpose**

This framework has been produced to support partner organisations in the development of a workforce that is competent and effectively trained in Mental Capacity Act (MCA) and Deprivation of Liberty Safeguards (DoLS) practices and which is continuously improving. It outlines the sets of competencies required for particular categories of job roles.

## **2.0 Competency framework rationale**

Previously MCA & DoLS training has been based upon attendance at training at a range of levels. However completion of training does not evidence a worker's competence in any particular area or task, only that they have attended a training course.

This framework sets out a competency based approach to enable all staff working with adults to develop their skills. It is designed to raise standards and promote a consistent and appropriate response to adults whose mental capacity may be in question. It has been devised to provide a baseline for demonstrations of competence by staff who support adults.

## **3.0 What is competence?**

A competence is the combination of the skills, knowledge and experience held by individual staff and this framework aims to ensure that these qualities inform practice in a way that is commensurate with an individual's role and responsibility. Regardless of training, competence grows through experience and the abilities of an individual to learn, adapt and apply care in an appropriate fashion.

## **4.0 What is the role of training?**

All training should be designed to support workers to gain the underpinning knowledge required to achieve competence. It is therefore possible to have a standard expectation of what should be included with MCA & DoLS training (at any given level) regardless of how or by whom the training is delivered.

The use of a competency framework also enables learning from other training to be used. For instance consent training may support some workers to evidence against competency and know when further advice is required regarding an application to the Court of Protection (CoP).

Individual agencies will need to look at existing mechanisms that may contribute to the assessment. From April 2015, the Certificate of Fundamental Care will be necessary for

Social Care support workers and Healthcare assistants before they work without supervision. The level one competencies are approximately aligned to these standards.

The competency framework also allows for consideration of other forms of Continuous Professional Development. This could take the form of training but could also include practical experience and workplace learning such as coaching and mentoring.

## **5.0 Who should complete the competency?**

All staff should be assessed as competent against the competencies that are relevant to their job role and level of responsibility. The MCA provides the framework for actions and decision making where people may lack capacity. Whatever their role, all staff involved in decision making with adults must recognise their role in supporting this.

All staff need to demonstrate the first 6 competencies within the framework. Further competencies will be dependent upon job role and level of responsibility.

As the competencies are cumulative, all people working with adults should complete Level one.

## **6.0 What are the timescales for completion?**

Individual agencies are required to set appropriate timescales for their staff to achieve required competence in order to be assured that their staff can practice effectively.

The timescales for successful demonstration of competency will depend upon the job role and responsibilities.

## **7.0 Carrying out the assessment of competence**

**Achieving competence requires more than just attending a training course although this may be an element of developing competence.** The assessment of competence should ideally combine a mix of direct observation of practice as well as a process of exploration, discussion and questioning. This could be carried out in supervision or as part of the follow up to training. Assessment should only be undertaken by those competent to do so.

## **8.0 Supporting the assessment of competence**

This framework includes guidance (Appendix 2) that can be used to record and assess a worker's competence. There are tools available for particular roles such as the Level 2 & 3 Diploma's in Health and Social Care for example.

Failure to meet required levels of competency will require discussed in supervision and should result in supervisory support and training.

## **9.0 Further developments**

To develop an assessment strategy for MCA competencies including:-

- Development of assessor prompts and format for assessment of competence at all levels
- Mechanism for auditing that staff competence is checked by an appropriate manager

## 10.0 Appendix 1

### **Mental Capacity Act and Deprivation of Liberty Competency levels: Adult Safeguarding Competency Level 1 Record**



<b>Employee Name:</b>	
<b>Job Role:</b>	
<b>Supervisor:</b>	

## Adult Safeguarding

### Adult Safeguarding Assessment of competence support tool: Level 1 Competencies

The assessment of the competence of a worker should include consideration of their knowledge, understanding and skills. The Multi-Agency Adult Safeguarding Competency Framework

Assessments should be a continuous exercise carried out as part of supervision, management and career development. Particular attention should be paid to an individuals' competency when:

- they commence in role, take on a new role or return from an extended period of absence
- on completion of any training.
- If an event or incident has raised questions about their competency

Competency assessment should be carried out in the workplace, within supervision and within appraisal meetings, and should include a combination of methods to evidence competency including:

- Direct observation of practice and performance
- Questions can be used to assess if the person has the necessary knowledge
- Scenario based questions/case studies and real life activities allow a person to demonstrate their skills that would be relevant to actual situations
- Reflective accounts
- Accounts by a third party observer (including people from partner agencies)
- Evidence of successful completion of mandatory safeguarding training or qualification with an assessed component against the relevant area of knowledge
- Achievement of a competency based qualification such as Qualifications Credit Framework (QCF) i.e. Diploma level 2, 3, 4 or 5
- Adult safeguarding documentation, e.g. notes of safeguarding meetings, reports of safeguarding concerns, assessment etc.
- Feedback from adults with care and support needs and carers

Assessment should also reflect a person's knowledge and understanding of the **Adult Safeguarding: Multi-Agency Policy & Procedures for the protection of Adults with Care & Support needs in the West Midlands** and the organisations own internal safeguarding procedures

Each member of staff should have a record of their competency in relation to adult safeguarding.

It is the responsibility of the member of staff to provide evidence of their competency. It is essential that managers and supervisors have the skills and ability to encourage, enable and motivate workers (paid and voluntary) to develop and learn.

The table below can be used as a guide for supervisors assessing competence. The prompts are potential questions for assessors to use when meeting with workers.



Competence	Suggested Evidence	Assessors Prompt:	Evidence/ Supervisor comments	RAG rating	Agreed actions
<b>1. Understand what safeguarding is and their role in adult safeguarding work</b>	<ul style="list-style-type: none"> <li>• Show clear understanding of their role in identifying and reporting safeguarding concerns</li> <li>• Show understanding of their organisations policy and procedures</li> <li>• Treat reports seriously</li> <li>• Understand limits of confidentiality</li> </ul>	What do you consider to be your role in adult safeguarding?	HCPC/NMC Code of conduct		
		Should you ever ignore what you consider to be abusive?			
		Who is important in the adult safeguarding process?	Everybody's responsibility The individual		
		Explain how you would share information on a needs to know basis.	Identifying key stakeholders- who needs to know- multi agency working		
<b>2. Recognise an adult potentially in need of safeguarding</b>	<ul style="list-style-type: none"> <li>• Show clear understanding of the meaning of adult with care and</li> </ul>	Can you tell me the main forms of abuse	Physical, Domestic Violence, Sexual, Financial & Material, Modern Slavery, Discriminatory, Organisational, Neglect & Acts of Omission, Self-neglect, Emotional		

Competence	Suggested Evidence	Assessors Prompt:	Evidence/ Supervisor comments	RAG rating	Agreed actions
<b>and take action</b>	support needs  • Show understanding of what constitutes abuse		and psychological .		
	• Outline the different forms of abuse and how to recognise the indicators/signs of abuse	Can you outline what is meant by an adult with care and support needs	Care Act 2014  An individual who due to circumstance, situation, or illness requires support with aspects of their life.		
	• Demonstrate an understanding of the factors that might increase the risk of abuse	Can you give some examples of why an individual may be at increased risk of abuse	Capacity, Communication, isolation, behaviour, various disabilities, carer stress.		
	• Report concerns to the relevant person  • Demonstrate how	If you have concerns about abuse who would you report this to?	Line manager, Local arrangements		

Competence	Suggested Evidence	Assessors Prompt:	Evidence/ Supervisor comments	RAG rating	Agreed actions
	to ensure the person is safe if in imminent danger	Could you tell me where to find our organisations adult safeguarding policies and procedures	West Midlands Policy. in situ, Your Life Your choice.		
<b>3. Understanding the procedures for reporting a safeguarding concern</b>	<ul style="list-style-type: none"> <li>• Show an understanding of your employers adult safeguarding policy and procedures</li> <li>• Know how to ensure the individual is safe when the risk of abuse is high</li> <li>• Know who to contact</li> </ul>	How would you report a safeguarding concern?	Manager, verbally and in writing.		
		Describe what action you would take if you were concerned that an adult with care and support needs was being abused.	Documentation processes. Monitoring. Liaison with others involved in care. Safety of person.		

Competence	Suggested Evidence	Assessors Prompt:	Evidence/ Supervisor comments	RAG rating	Agreed actions
	<ul style="list-style-type: none"> <li>• Know how to report safeguarding concern</li> <li>• Work in a manner to reduce the risk of abuse</li> </ul>	How can you ensure that service users are treated with dignity and respect	Respect individuality Person centred approach Outcome based.		
<b>4. Understand dignity and respect when working with individuals</b>	<ul style="list-style-type: none"> <li>• Value individuality and be non-judgemental</li> <li>• Recognise the individual's right to live in an abuse free environment</li> <li>• Be aware of how your values and attitudes influence your understanding of a situation</li> <li>• Listen to individuals and allow time to communicate any</li> </ul>	How do you ensure that you do not enforce your values on service users?	Being aware of own values and ensuring that you do not force them onto other people. Follow equality policies.		
		How can you support individuals to be involved in their care?	Involve people in decision making (food, clothes etc.). Promote independence. Ask them what they want. Challenge/ report poor practice.		

Competence	Suggested Evidence	Assessors Prompt:	Evidence/ Supervisor comments	RAG rating	Agreed actions
	preferences and wishes				
<b>5. Have knowledge of policy, procedures and legislation that support adult safeguarding activity</b>	Demonstrate knowledge of national and local policies / legislation that support safeguarding activity: <ul style="list-style-type: none"> <li>• Care Act &amp; statutory guidance</li> <li>• Mental Capacity Act</li> <li>• Human Rights Act</li> <li>• CQC Standards</li> <li>• West Midlands Policy</li> </ul>	Can you outline the key policies and legislation in adult safeguarding?	Care Act 2014 is legislation that for safeguarding. MCA and Dols protects the rights of those who lack capacity- best interest. Safeguarding vulnerable adults groups 2006- DBS checks. Whistleblowing- poor/ abusive practice of colleagues/ organisation. West Midlands policy- how we meet the Care Act, responsibilities.		

Other evidence of competence: (i.e. supervision notes, discussion, observations)		
Date	Signature of assessor	Signature of staff member

## Level 2 = Competencies 6 to 10

### Safeguarding for staff who report safeguarding concerns and who provide support to adults with care and support needs

Including but not limited to: qualified social work staff with not undertaking a specialist role in under the Safeguarding procedures, managers and senior staff of residential homes, nursing homes, domiciliary care agencies, supported living services, brokerage, hospital wards, health staff, practice managers will be able to:-

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
<p><b>6. Have knowledge of policy, procedures and legislation that supports Adult Safeguarding Activity.</b></p>	<ul style="list-style-type: none"> <li>Describe local / national policies, procedures underpinning safeguarding activity; e.g. The Care Act 2014 and statutory guidance, Adult Safeguarding: Multi-Agency Policy &amp; Procedures for the protection of Adults with Care &amp; Support needs in the West Midlands, large scale enquiries, Human Rights Act, Mental Capacity Act, Deprivation of Liberty Safeguards – Mental Health Act, workplace Domestic Abuse Policy. (Staff should be able to link to their practice and give examples where possible of where they have applied to their role).</li> <li>Understand how to ‘whistle blow’ using relevant policy. (Staff should know about recording, who to report to, when and how to report externally if need to. What support is available to them).</li> <li>Demonstrate a clear understanding of the when an incident requires a safeguarding concern to</li> </ul>	<p>What are some of the legislations and policies that you have to work in line with and explain how they affect your practice?</p> <p>If you were to witness malpractice/ abusive practice what would you do?</p> <p>Give an example of an incident that you would have to report under safeguarding.</p>		

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
	<p>be reported and alternative actions</p> <ul style="list-style-type: none"> <li>• Demonstrate an understanding of responsibilities in relation to safeguarding children. (Is able to discuss keeping children safe/ how to report concerns/ signs of abuse and to whom. Understands their duty of care to CYP. Knows when it is an emergency and immediate intervention is needed).</li> <li>• Know when and how to seek specialist advice.</li> </ul>	<p>Explain your safeguarding responsibilities for any children who live in/ enter your place of work. Has been observed in the workplace.</p> <p>Explain when and how you would seek specialist advice.</p>		
<p><b>7. Show an understanding of how to support staff to fully understand and implement their role in adult safeguarding.</b></p>	<ul style="list-style-type: none"> <li>• Consider the role of supervision in the provision of safe safeguarding practice in the staff you manage/supervise</li> <li>• Demonstrate how you monitor the practice of staff</li> </ul>	<p>Explain how safeguarding can sit within supervision and why it should do?</p> <p>Staff monitoring records/ supervision records/ observed this being done.</p> <p>Examples of actual practice where they have performance managed a staff member or members following poor practice. Or can you talk me</p>		



Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
	<ul style="list-style-type: none"> <li>• Show how you would manage issues of poor safeguarding practice</li>   <li>• Show how you ensure all staff are competent, remain up to date and have the appropriate knowledge</li> </ul>	<p>through the actions you would take if you witnessed or were informed about poor practice within your team.</p> <p>Records of monitoring/ supervision showing training and development need, discussions etc.,</p> <p>In your role how do you ensure that staff are competent, understand their responsibilities, and are up-to date on current knowledge and practice.</p>		
<p><b>8. Show an understanding of the role of supporting staff/a team during enquiry.</b></p>	<ul style="list-style-type: none"> <li>• Demonstrate an understanding the potential impact of the abuse of an adult with care and support needs on staff who are / were providing support</li> <li>• Demonstrate an understanding of the stress that is placed on a staff team during an enquiry</li> <li>• Consider how this stress can impact on the service delivered and thus on service users/patients</li>   <li>• Show an understanding of how to minimise negative impact on service users/patients</li> </ul>	<p>How can the abuse of an adult(s) with care and support needs potentially impact on and effect the staff team?</p> <p>How can the abuse of an individual impact on the delivery of the service to others?</p> <p>How can you ensure that the negative impact on others accessing the service is minimised?</p>		

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
<p><b>9. Demonstrates an understanding of their specific professional role in ensuring the prevention of abuse.</b></p>	<ul style="list-style-type: none"> <li>• Show an understanding of professional standards and accountability</li> <li>• Show an understanding of the need for safer recruitment as an integral part of safeguarding people from being abused</li> <li>• Demonstrate an understanding of pre-abuse indicators or warning signs</li> </ul>	<p>Outline your understanding of professional standards and accountability.</p> <p>How does having a good safe staff recruitment process fit in with safeguarding?</p> <p>This may be met through records that show monitoring of concerns/ where possible self-neglect is recorded/ in care plans that recognise the need to monitor an individual i.e. to check they are eating, taking their medication, washing and dressing. May be observed when staff are doing medication assessments/ risk assessments/ carrying out care assessments, reviews etc</p> <p>May be met through staff monitoring records/ staff supervision records where these areas have been discussed. During meetings. May be observed when staff member is completing assessment records, risk assessments for others to follow/ access.</p> <p>Can be observed through staff</p>		

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
	<ul style="list-style-type: none"> <li>Show how you ensure all staff demonstrates an absolute commitment to the dignity and respect for all people and an understanding of basic human rights and total identity.</li> <li>Demonstrate an understanding of professional boundaries</li> </ul>	<p>member's practice. I.e. they are working to agreed ways of working, working within their job remit, following policies and procedures, maintaining professionalism even in difficult situations. Can outline the difference between a professional and a personal relationship.</p>		
<p><b>10. Demonstrates skills and knowledge to contribute effectively to the Safeguarding process</b></p>	<ul style="list-style-type: none"> <li>Work to local and national Safeguarding guidance</li> <li>Respond to incidents in a timely manner</li> <li>Demonstrate an understanding of and discuss what outcomes the adult wants from the safeguarding process</li> <li>Identify and reduce potential and actual risks after disclosure of allegation</li> </ul>	<p>Give a detailed explanation of what your safeguarding responsibilities are under the Care Act 2014 and West Midlands policy. Where you have any give examples of when you have been involved in the safeguarding of individuals.</p> <p>Look at records relating to the safeguarding process that the staff member has written up.</p> <p>Observation of actual practice in safeguarding process/ MDT meetings/ safeguarding meetings/ best interest meetings.</p>		

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
	<ul style="list-style-type: none"> <li>• Practice effective multi-agency partnership working e.g. attend strategy meeting</li> <li>• Demonstrate an understanding of target timescales</li> <li>• Attend and contribute to safeguarding enquiries/meetings</li> <li>• Demonstrate an understanding of information sharing in relation to adult safeguarding.</li>   <li>• Develop protective strategies or make appropriate onward referrals for those that decline services</li>     <li>• Have awareness of and confidence to use 'whistle blowing' policy/procedures'</li> </ul>	<p>Documentation that shows that services have been declined and what signposting has occurred or what monitoring action is proposed or what alternative services/ support the individual was signposted onto.</p> <p>If no actual documentation available then staff member should be able to explain the process used when an individual declines services, and be able to talk through what they need to do.</p> <p>Explain where the whistleblowing policy can be found, what it used for, and the 3 steps within it and when each is appropriate to be used.</p>		

**Other evidence of competence: (i.e. supervision notes, discussion, observations) and ACTION POINTS**

**Date:**

**Signature of assessor:**

**Signature of staff member:**

### Level 3 = Competencies 11 to 16

Those who have particular specialist adult safeguarding responsibilities, **Level 3 Social Workers** and other workers that are expected to undertake enquiries as part the **Safeguarding Adults** processes

Including but not limited to: qualified professionals in health and social care and Service Providers who would be expected to have a role in Safeguarding Adults enquiries, plus all frontline managers who need an understanding of the whole process or manage or supervise staff who need to:-

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
<p><b>11. Awareness of local and national policy and procedural framework when undertaking adult safeguarding activity</b></p>	<ul style="list-style-type: none"> <li>• Thorough understanding of the Adult Safeguarding: Multi-Agency Policy &amp; Procedures for the protection of Adults with Care &amp; Support needs in the West Midlands and show understanding of levels, thresholds and pathways of enquiry in response to a reported safeguarding concern and requirements of gathering initial information</li>   <li>• The importance of providing feedback and liaison</li>   <li>• Demonstrate knowledge on the response options and how these need to be implemented</li> </ul>	<p>Give a detailed explanation of the West Midlands policy for safeguarding, include your knowledge of levels, thresholds and pathways for enquiry and how you would go about gathering initial information.</p> <p>Why is providing feedback and liaising with others involved in the process important?</p> <p>Could be met through records of safeguarding meetings, best interest meetings. Documents related to disclosure of abuse. Staff member can locate policy, and show</p>		

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
	<ul style="list-style-type: none"> <li>• Protection planning</li> <li>• Describe purpose of planning, evaluation, protection and enquiry</li>   <li>• Describe the purpose of formal multi-agency adult safeguarding arrangements and how to contribute to this and any subsequent safeguarding plan</li>   <li>• Use appropriate forms and recording systems</li> </ul>	<p>where within the policy the response options are detailed.</p> <p>What is the purpose of planning, evaluation, protection and enquiry.</p> <p>What is the purpose of formal multi-agency safeguarding arrangements and what is your role in this and any subsequent plans that result from it.</p> <p>Can be met through work product evidence such as FWI assessments, reviews, case notes, monitoring records, body maps for bruising.</p> <p>Give examples of work that the staff member has carried out and ask them what legislation supports the need for it. i.e. risk assessment, care need assessment, best interest</p>		

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
	<ul style="list-style-type: none"> <li>• Know what piece of legislation/policy informed a specific piece of work and why, i.e. Care Act 2014 &amp; statutory guidance, Mental Capacity Act 2005, Mental Health Act 1983, Deprivation of Liberty Safeguards, Human Rights Act 1998, Sexual Offences Act 2003, Police and Criminal Evidence Act 1984, Fraud Act 2006, Care Standards Act 2000, Disclosure and Barring Service (Safeguarding Vulnerable Groups Act 2006), MAPPA and MARAC</li> <li>• Use alternative policy and legislation to support preventative strategies e.g. Carer support</li>   <li>• Be aware and challenge if necessary organisational cultures that may lead to poor practice in adult safeguarding</li> </ul>	<p>assessment, DOLs assessment, individual support plan, behaviour support plan, carers assessment etc.</p> <p>If struggling to identify actual work choose a case review i.e. National one Winterbourne, Orchid View or got to WSAB website and download one from there for staff member to read and discuss in regard to legislation.</p>		
<p><b>12. Understand how best evidence is achieved</b></p>	<p>As appropriate to role:</p> <ul style="list-style-type: none"> <li>• Show a comprehensive and detailed knowledge of gathering, evaluating and preserving evidence</li> <li>• Describe why it is important to preserve evidence</li> </ul>	<p>Discuss how you would determine what evidence was needed and how you then go about gathering it correctly. Describe how you can preserve evidence properly and why this is so important.</p> <p>Staff member may have actual documents that they can produce to show they</p>		



Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
		have the knowledge and have applied it into their practice.		
<b>13. Ensure service users / carers are supported appropriately to understand Safeguarding issues to maximize their decision making</b>	<ul style="list-style-type: none"> <li>• Demonstrate an understanding of Making Safeguarding Personal and how the outcomes identified by the service user should be reflected within the adult safeguarding process.</li> <li>• Maximise the ability of the service user to fully participate</li> <li>• Work with service users to ensure they are fully aware of all options available to them and also of the preventative measures that they may be able to put in place to protect themselves from abuse</li> <li>• Recognise service users' rights to freedom of choice Demonstrate how to work in partnership with service users/carers/ representatives in response to safeguarding allegations</li>   <li>• Understand the role of advocacy within adult safeguarding</li> </ul>	<p>Work products i.e. records of safeguarding meetings, discussions with the individual about what they wish to happen and what outcome they want can be used.</p> <p>Observation of staff member actively involved in a safeguarding meeting, and supporting the individual or representing the individual wishes.</p> <p>Explain why, when and how accessing advocacy may be appropriate, within adult safeguarding.</p> <p>Explain how an individual's past experience of abuse may affect /impact on their decision making processes.</p> <p>May be through a FWI entry</p>		

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
	<ul style="list-style-type: none"> <li>• Show understanding of how abuse may affect individuals' decision making processes e.g. Domestic violence</li> <li>• Provide information on local / national groups that may be able to provide support e.g. Victim support, advocacy service, Independent Domestic Violence Advocate, Independent Sexual Violence Advocate, local carers group</li> <li>• Provide written and verbal information on local adult safeguarding processes and how they can be accessed by service users and carers</li> <li>• Have knowledge of resilience factors and how these might interact with Safeguarding</li> <li>• Understand how policy/legislation can have the potential to be used oppressively e.g. Mental Capacity Act, Best Interest Decisions may conflict with Human Rights</li> </ul>	<p>confirming information provided. Might be observed practice. Could ask for an example of when the staff member has provided information.</p> <p>What are resilience factors and how do they interact with safeguarding.</p> <p>Discuss using an example or examples where possible how legislation such as MCA, DOLs and best interest decisions may be used in an oppressive way.</p> <p>Explain when it would be appropriate to involve an Independent mental capacity advocate and when it would be necessary to make an application to the court of protection.</p> <p>How can an accusation of abuse affect the staff or individuals accused?</p> <p>What impact might there be on an informal carer who reports concerns of abuse?</p> <p>What support might the</p>		

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
	<ul style="list-style-type: none"> <li>• Understand when an IMCA needs to be instructed and when an application to the Court of Protection is required</li>   <li>• Describe the potential impact of the abuse of adults with care and support needs on staff or individuals who are alleged to have committed abuse and the informal carer who may have reported concerns</li>   <li>• Recognise perpetrators of abuse may be vulnerable themselves and require support</li>   <li>• Actively engage with individuals who decline services and/or engage support of others to achieve this</li> </ul>	<p>perpetrator of abuse need and why?</p> <p>Work product evidence such as records or FWI entries documenting refusal of service and what support/ advice/ signposting was given.</p> <p>Staff member may be able to give an actual example of practice.</p>		

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
<b>14. Understand when to use emergency systems to protect adults with care and support needs</b>	<ul style="list-style-type: none"> <li>• Outline when to use emergency service when necessary e.g. Call for an ambulance or police intervention</li> <li>• Describe how to contact out of hours service</li> <li>• Describe when emergency protection plans may be required</li> <li>• Use legislation where immediate action may be required e.g. Section 4 of Mental Health Act 1983, or urgent authorisation of DoLS</li> </ul>	<p>Give an example of when you have or would need call for an ambulance or ask for police intervention.</p> <p>Tell me how to contact out of hours services.</p> <p>Give at least 2 examples of when emergency protection plans may be required.</p> <p>When might you need to use section 4 of the Mental health act 1983 or need urgent authorisation of DOLS.</p>		
<b>15. Maintain accurate, complete and up-to-date records</b>	<ul style="list-style-type: none"> <li>• Evidence understanding of contemporaneous recording</li> <li>• Evidence of knowledge of protection planning</li> <li>• Evidence of collation and monitoring of reported safeguarding concerns within own service observation and discussion</li> <li>• Evidence of report writing, information sharing, Multi-agency partnership working, risk assessments and management plans and contemporary case recordings</li> <li>• Explicit understanding of issues of confidentiality and data protection</li> </ul>	<p>Can be supported through work products staff member has completed i.e. FWI assessments, reviews, safeguarding meeting records, records of disclosure, risk assessments, incident reports, case notes documenting contact with individual, and others involved in the multi-agency response.</p> <p>Why is confidentiality important and how do you</p>		

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
		ensure you are meeting data protection requirements for safeguarding?		
<b>16. Demonstrate required level of skills and knowledge to undertake an adult safeguarding enquiry</b>	<ul style="list-style-type: none"> <li>• Show through knowledge and application of purpose, duties, tasks involved in Safeguarding assessment/enquiries</li> <li>• Understand the importance of establishing the views and wishes of the adult with care and support needs and what outcome they require or desire</li>   <li>• Understand the role of protection planning during and following an enquiry</li>   <li>• Understand the different roles and responsibilities of the different agencies involved in making enquiries into allegations of abuse</li> <li>• Understand the co-ordinating role in relation to different types of enquiry that may be taking place simultaneously.</li> </ul>	<p>Give a detailed explanation of an adult safeguarding issue you have been involved in. Explain what the safeguarding issue was, what your role was within it, what action you took, how you involved the individual, who else was involved, how information was gathered and a clearer picture was built and what the outcome was for the individual?</p> <p>Explain why protection planning should occur during and following an enquiry.</p> <p>Explain the role of the safeguarding team, the police, your manager, the CQC.</p>		

**Other evidence of competence: (i.e. supervision notes, discussion, observations)**

**Date:**

**Signature of assessor:**

**Signature of staff member:**

## Level 4 = Competencies 17 to 20

### Those that manage the adult safeguarding process:

Including but not limited to: those staff that are responsible for managing, chairing meetings and signing off adult safeguarding enquiries, supervisors, professional advisers and designated leads for adult safeguarding, operational managers of services for adult safeguarding, senior managers responsible for the strategic management of services for adult safeguarding and members of Local Safeguarding Adults Boards who need to:-

Competence	Suggested evidence	Assessors prompt:	Evidence	RAG rating
<b>17. Actively engage in supporting a positive multi-agency approach to adult safeguarding</b>	<ul style="list-style-type: none"> <li>• Demonstrate an understanding of the different roles and responsibilities of all agencies involved</li> <li>• Show awareness of updated protocols and follow / implement them</li> <li>• Demonstrate application of learning from CQC inspections and Serious Case Reviews in service development</li> <li>• Show how multi-agency prevention strategies are being developed and used in practice</li> <li>• Challenge poor practice at an interagency level</li> <li>• Ensure a proportionate response to adult safeguarding</li> <li>• Show an understanding of how to test evidence to ensure that an enquiry is robust.</li> </ul>	<p>Can be observed through the implementation of staff members role. This may be through leading meetings, following policies, monitoring enquiries, arranging meetings, liaising with and ensuring all relevant agencies are involved and collaborating and sharing information within data protection.</p> <p>Evidence of updating of working practices within the service, reviewing working practices and implementing changes to practice in line with recommendations. i.e. staff meeting minutes, staff supervision records, in service policies reviewed and updated/ risk assessment reviewed and</p>		

Competence	Suggested evidence	Assessors prompt:	Evidence	RAG rating
		updated.		
<b>18. Support the development of robust internal systems to provide consistent, high quality adult safeguarding service</b>	<ul style="list-style-type: none"> <li>Demonstrate a clear understanding of national policy and procedures and how these relate to the development and application of local Safeguarding Policy and Procedures in a multi-agency context.</li> </ul>	<p>Possible sources of evidence could be:</p> <p>Be able to discuss the West Midlands policy, covering contents, types of abuse, how to recognise different type of abuse, levels, thresholds and pathways of enquiry in response to a reported safeguarding concern, requirements of gathering initial information, importance of sharing information and how to do this in-line with confidentiality and data protection. Be able to explain the importance of multi-disciplinary approach and the roles of different agencies involved in safeguarding enquiry.</p> <p>Supervision records/ SRD records documenting safeguarding monitoring processes with other staff.</p> <p>Training audit records/ can show where policies and procedures are located and explain the</p>		



Competence	Suggested evidence	Assessors prompt:	Evidence	RAG rating
	<ul style="list-style-type: none"> <li>• Carry out effective monitoring and auditing</li> <li>• Demonstrate effective training / CPD is commissioned to support adult safeguarding services</li> <li>• Ensure necessary policy and procedures are in place to support supervisory practice</li> <li>• Ensure Safeguarding Supervision is carried out regularly to support the service</li> <li>• Ensure supervisors are suitably trained to meet role requirements</li> <li>• Support 'whistle blowing' policy / procedures</li> <li>• Monitor safeguarding systems</li> <li>• Ensure workforce has necessary skills and knowledge to work effectively by developing and using a competency assessment system</li> <li>• Ensure effective training, policy and procedures are in place to support effective risk and decision making in practice.</li> </ul>	<p>importance of these and outline contents.</p> <p>Audit trails showing care documentation is reviewed and updated regularly. i.e. care plans, risk assessments, behaviour management plans, case notes, handover records, incident reports.</p> <p>Minutes of staff meetings that have been chaired by staff member in which safeguarding practice is discussed and reviewed within the team.</p> <p>Records of attendance and involvement in safeguarding meetings.</p> <p>Attendance at management strategy meetings where safeguarding concerns/ processes/ procedures were discussed.</p> <p>Testimony from other professionals as to staff members competence and performance in the safeguarding process.</p>		

Competence	Suggested evidence	Assessors prompt:	Evidence	RAG rating
<b>19. Chair adult safeguarding meeting or discussions</b>	<ul style="list-style-type: none"> <li>• In line with local policy / procedures chair meetings where it is deemed a senior manager is most appropriate e.g. large-scale enquiries or sexual offences.</li> </ul> <p>Ensure</p> <ul style="list-style-type: none"> <li>▪ enough information is available to allow prioritisation and allocation of enquiries</li> <li>▪ the enquiry is allocated to a worker with the necessary competence and experience</li> <li>▪ supervision and support is available to the worker undertaking the enquiry</li> <li>▪ individual cases are monitored to ensure adequacy of protection measures</li> <li>▪ all enquiries are conducted in accordance with this procedure and anti-discriminatory practice</li> </ul> <ul style="list-style-type: none"> <li>• The co-ordinator/manager must confirm and sign off the accuracy of all records relating to an adult safeguarding enquiry including records of: <ul style="list-style-type: none"> <li>▪ the information gathering, risk assessment, evaluation and planning</li> <li>▪ any decisions taken</li> <li>▪ the enquiry/risk assessment and interview(s)</li> </ul> </li> <li>• Any decision taken to close the enquiry</li> </ul>	<p>Could be met by a detailed testimony from another professional at a safeguarding meeting who can confirm the practice of the chair from the meeting.</p> <p>Work product evidence of preparation before the meeting to collate information to ensure meeting ran smoothly and all areas of discussion were heard and discussed.</p> <p>Minutes from the safeguarding meeting that show the format the meeting took, who discussed what and what action was agreed.</p> <p>Records relating to actions taken following the meeting(s) i.e. updated support plans, assessments, risk management plans, MAPPA records, safeguarding recommendations.</p>		

Competence	Suggested evidence	Assessors prompt:	Evidence	RAG rating
<p><b>20. Ensure record systems are robust and fit for purpose</b></p>	<ul style="list-style-type: none"> <li>• Implement audit and inspection regimes</li> <li>• Demonstrate established systems to support good practice e.g. maintaining records, protection plan monitoring and time management e.g. enquiry report</li> <li>• Ensure appropriate record keeping of adult safeguarding meetings e.g. ensure minutes are of an appropriate standard</li> </ul>	<p>Documentation that is used by the staff member to monitor working practices of others. Audit records that show records are reviewed, staff practice is discussed and development areas identified.</p> <p>Records of previous or current safeguarding concerns the staff member was/ is actively involved in.</p> <p>Inspection reports by CQC showing that systems are implemented correctly and followed.</p>		

**Other evidence of competence: (i.e. supervision notes, discussion, observations) and ACTION POINTS**

**Date:**

**Signature of assessor:**

**Signature of staff member:**

## Level 5 = Competencies 21

Executive and senior managers, Chief Executive, owner manager, Head of Service and above who need to:-

Competence	Suggested Evidence	Assessors prompt:	Evidence	RAG rating
<b>21. Lead the development of effective policy and procedures for adult safeguarding</b>	<ul style="list-style-type: none"> <li>• Be a 'champion' for safeguarding within the organisation you represent</li> <li>• Be a champion for safeguarding in other organisations and the community at large.</li> <li>• Work with partner agencies to develop a consistent intra and inter-agency approach to Safeguarding Adults e.g. attendance at multi-agency safeguarding forums such as MARAC or MAPPA</li> <li>• Have strategic understanding of the scope of Safeguarding services across the whole organisation</li> <li>• Work in partnership with a range of agencies</li> <li>• Work to reduce the likelihood of repeat abuse</li> <li>• Provide leadership for the workforce stating clear aims and objectives in adult safeguarding</li> <li>• Ensure contractual arrangements with service providers adhere to adult safeguarding policy and procedures</li> <li>• Can effectively communicate a proactive approach to adult safeguarding within your organization</li> <li>• Be able to account for your organizational practice</li> <li>• Ensure 'whistle blowing' systems are in place</li> </ul>	<p>Give a detailed explanation of how you champion and promote safeguarding within this organisation, in other organisations and the community as a whole?</p>		

**Other evidence of competence: (i.e. supervision notes, discussion, observations) and ACTION POINTS**

**Date:**

**Signature of assessor:**

**Signature of staff member:**

## 11.0 Appendix 2

### **Mental Capacity Act and Deprivation of Liberties Safeguards**

#### **Assessment of competence guidance**

The assessment of the competence of a worker (paid or voluntary) should include consideration of their knowledge, understanding and skills. It should be a continuous exercise carried out as part of supervision, management and career development. Particular attention should be paid to an individual's competency when they commence work, on completion of any training, if an event has raised questions about their competency and when they take on a new role in relation to MCA & DoLS.

Competency assessment should be carried out in the workplace, within supervision and within appraisal meetings. The best competence assessment processes consist of a combination of methods to give confidence of competency including:

- Direct observation
- Questions can be used to assess if the person has the necessary knowledge
- Scenario based questions/case studies and real life activities allow a person to demonstrate their skills that would be relevant to actual situations
- Use of reflective accounts
- Accounts by a third party observer (including people from partner agencies)
- Evidence on knowledge may be shown by successful completion of mandatory safeguarding training or qualification with an assessed component against the relevant area of knowledge
- Evidence of competency may be shown by attainment of a competency based qualification such as Qualifications Credit Framework (QCF)
- Documentation, e.g. notes of assessment of mental capacity, rational for best interest decisions, requests for IMCA etc.
- Feedback from service users and carers

Assessment should also reflect a person's knowledge and understanding of the organisations own internal policies and procedures for MCA & DoLS. Each member of staff should have a record of their competency in relation to MCA & DoLS. It is the responsibility of the member of staff to provide evidence of their competency. It is essential that managers and supervisors have the skills and ability to encourage, enable and motivate workers (paid and voluntary) to develop and learn.

Individual agencies will have their own documentation for recording competency and should act as a guide for supervisors assessing competence. The incorporation of prompts of potential questions for assessors to use when meeting with workers may be useful.