

01 Background

- 'Mervyn' died in hospital from serious burns sustained in a fire at his home. He was aged 86 and was White British. The inquest recorded a verdict of accident.
- Cheshire Fire Service investigation found evidence of significant hoarding. The only heating was an electric fire that was hazardous in the context of his living situation.
- Cheshire Fire Service had attempted to complete fire safety checks on six occasions from 2008. "Mervyn" when seen would not allow access to the property. When there was no answer, a calling card was left.
- His home was privately rented. His landlord raised concerns about his living conditions, which resulted in brief contact with Adult Social Care. "Mervyn" declined assessment and support. His case was closed.
- He had some contact with primary care for medication reviews but plans to follow-up some concerns were not followed through.

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Community Awareness

'Mervyn' was socially isolated. The conditions in which he was living were barely known, other than to the landlord. Cheshire East SAB are raising community awareness about socially isolated people who may be at risk of abuse and neglect (including self-neglect). This includes engaging with the local authority's Communities Team, and, private & social housing landlords, to ensure the local community, including the public, have an understanding of adult safeguarding and knowledge of referral pathways

Complex Safeguarding

The 'Mervyn SAR' highlighted the need for a whole system approach, including information-sharing and use of multi-agency meetings to agree responses to risk, including from non-engagement/Self- Neglect/ compulsive hoarding.

CESAB have launched the Complex Safeguarding Forum. Complex Safeguarding is an approach/term to describe working with adults at risk to address non-traditional safeguarding issues such as Self-neglect, and, exploitation issues such as cuckooing, slavery and human trafficking etc.

Further Guidance and referral process - www.stopadultabuse.org.uk/pdf/multi-agency-complex-safeguarding-policy-and-guidance-pdf.pdf

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Further Guidance -

<http://www.stopadultabuse.org.uk/pdf/coronavirus/north-west-policy-v5.4.pdf>

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02 Mental Capacity

As with the 'Mervyn' SAR, self-neglect cases often raise complex challenges relating to assessment of mental capacity. In cases of self-neglect, the capacity to make some decisions may remain intact. However, the capacity to identify and extract oneself from harmful situations, circumstances, or relationships may be diminished. A key ethical and clinical branch point in identifying self-neglect involves determining whether the individual can both make and implement decisions regarding personal needs, health, and safety

For further guidance on self neglect and mental capacity –

www.scie.org.uk/self-neglect

Cheshire East SAB will now regularly include case law updates in future newsletters

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Professional Curiosity

The 'Mervyn' case highlighted a need for professional curiosity in safeguarding adults with care and support needs.

Professional curiosity explores what is happening within an adult at risks life rather than making assumptions or accepting things at face value. It requires practitioners to:

- think 'outside the box', beyond their usual professional role, and consider circumstances holistically
- show a real willingness to engage with adults and their families or carers.

Further info:

<https://www.researchinpractice.org.uk/adults/news-views/2020/december/the-importance-of-professional-curiosity-in-safeguarding-adults/>

Legal Literacy

The 'Mervyn' SAR highlighted issues around Legal Literacy.

Legal literacy has three key components:

1. Sound knowledge of the legal rules and understanding of their relevance to practice.
2. Strong engagement with professional ethics.
3. Respect for principles of human rights, equality and social justice

Social Workers within Cheshire East are encouraged to make full use of the 'Legal Gateway' meetings for complex cases.

Ripfa have produced a Legal Literacy Practice Tool [Making Safeguarding Personal practice tool: legal literacy \(local.gov.uk\)](#)

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'Mervyn'
Safeguarding
Adults Review

7 Point Briefing

Care Act

It was clear from the data presented during the Mervyn SAR that the majority of referred adult safeguarding concerns around self-neglect do not progress to an enquiry under Section 42 of the Care Act (2014).

In Mervyn's case it is arguable that there was a missed opportunity to refer an adult safeguarding concern when he declined the Social Worker's offer of care and support assessment.

Section 42 Care Act 2014 –

A local authority is under a duty, by way of section 42, to make enquiries (or cause to be made) if they reasonably suspect that an adult in its area has needs for care and support and is experiencing, or is at risk of experiencing abuse or neglect.