



LIAM, 2023

LEARNING FROM SARs

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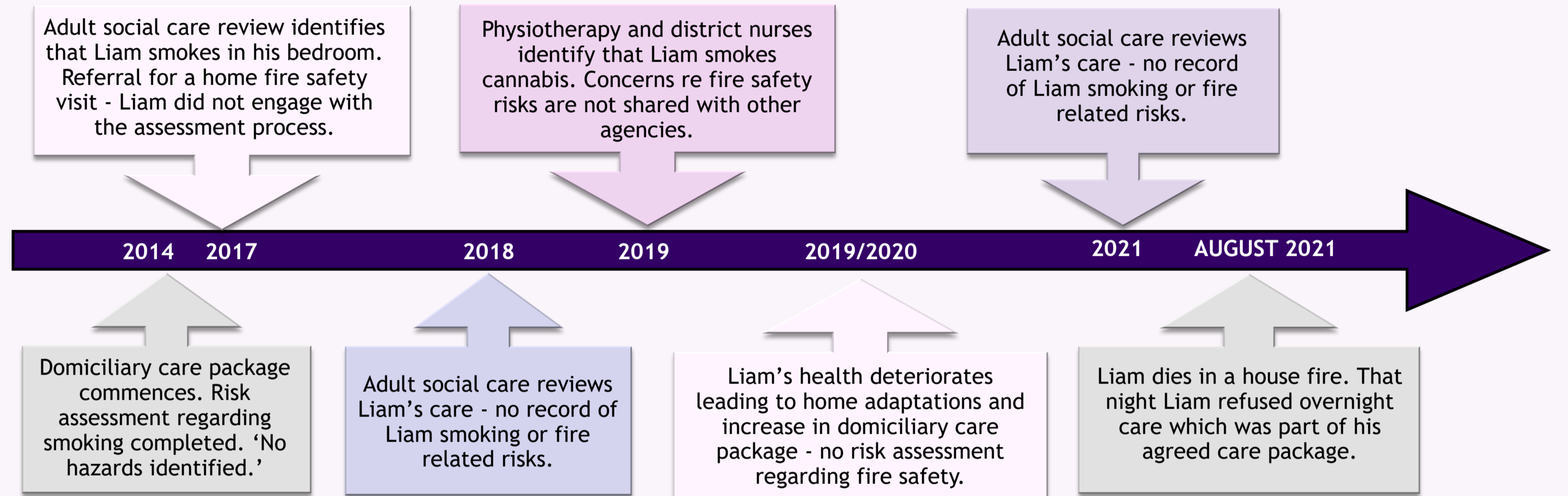
BACKGROUND:

Liam was a 47-year-old man described by his children as an amazing support system, a positive role model, and a very loving dad. Liam resided in rented accommodation, with a substantial package of care due to severe mobility issues and health/social care needs, linked to advance multiple sclerosis. It is understood that Liam had capacity in relation to smoking. It is also understood that his carers' usual practice was to leave lit tea-lights by his bed to enable him to smoke. Sadly, Liam died in a house fire in August 2021.

***KEY ISSUES:**

- **Fire safety in the home training** - practitioners failed to identify fire risks posed to Liam and others.
- **Person-centred fire risk assessments** - despite Liam's vulnerabilities and restricted mobility, there was no evidence of any PCFRAs being completed.
- **Escalation** - despite Liam's deterioration of health leading to increased fire risk, practitioners failed to escalate this further i.e., safeguarding concern, creative solutions panel.
- **Multi-agency working** - Liam did not engage with the home fire safety visit. The outcome was not shared and no further attempts to engage Liam were made.
- **Information sharing** - upon discovery that Liam smoked cannabis, practitioners did not share this information with others.
- **Overriding consent** - missed opportunities to share information (legal literacy).
- **Capacity** - capacity assessments should consider executive capacity, and should be clearly recorded.

SIGNIFICANT EVENTS:



KEY LEARNING:



POSITIVE FINDINGS:

- One housing provider provided excellent evidence of using the National Fire Chief Councils (NFCC) specialist housing guidance in their evidence, and used the learning from a Safeguarding Adults Review in Lewisham when creating their policies.
- They also liaise with a hoarding charity and consider portable protective systems (PPS).

ARE WE PREPARED IN NORTH LINCOLNSHIRE?

- Is fire safety in the home included in your training offer?
- Can you recognise adults who are vulnerable to fire risks?
- Do you know how to make a referral for a home fire safety visit?
- Do your risk assessment include information related to fire safety?
- Are you aware of the legal basis for information sharing i.e., when an adult doesn't consent to share information?
- Are you confident in assessing mental capacity including executive capacity?
- Are you aware of escalation procedures?
- Is multi-agency multi-disciplinary work embedded in your practice?



ADDITIONAL INFORMATION

***KEY ISSUES:**

- There were occasions where Liam refused overnight care. This should have been reported to the agency office and adult social care, so a replacement could be arranged.
- Practitioners should routinely ask about smoking where there are additional risk factors, such as the use of emollient creams and/or reduced mobility. If unsafe smoking habits are identified, it is crucial to explore the adult's ability to protect themselves from harm.
- The adult's capacity (including executive capacity) should be fully explored and recorded.
- Where a risk of fatal fire is medium or high, or there is a risk to others, risk mitigation should be discussed with the adult. If unsuccessful, an MDT approach including relevant agencies and family/carers should be triggered. If the MDT cannot identify methods or resources to mitigate fire risks, this should be escalated using correct processes.
- Liam was receiving a telecare service, however, the smoke alarms were not linked to the telecare system.
- It was established practice that the evening carer had a bedtime routine to enable Liam to have everything he needed to hand whilst in bed. This involved having his smoking materials on top of a trolley, and a lit tea-light so Liam could smoke. Other items on the trolley were his mobile phone, cigarette box, containing several 'hand rolled' cigarettes, his lighter, telecare alarm fobs and three further tea-light candles. This was not risk assessed.
- Liam's declining health triggered adaptations to his home in 2019 and an increase in his care package to enable double-handed care in 2020. However, it does not appear that

***KEY ISSUES: (CONT'D)**

- those changes prompted a review of his usual bedtime routine and smoking arrangements. It is crucial that care/risk reviews are used to inform the delivery of safe care.
- Adult social care carried out two reviews, one in 2018 and another in 2021, where smoking and fire risks were not identified in the assessment. It is understood that carers were also present at the review in 2021 and did not mention that Liam smoked, though it is understood that their internal risk assessments did identify this.
- In 2019, University College London Hospital physiotherapy services visited Liam and identified he smoked cannabis. No concerns regarding the fire safety risk were shared with the local authority via a safeguarding alert. This was a missed opportunity as it would have enabled practitioners to work with Liam, the care provider, the London Fire Brigade, and his landlord between 2017 and the time of the incident.
- GDPR and the Crime and Disorder Act permit the disclosure of information to organisations such as the police, local authorities, and social services. A disclosure in the public interest is likely to be justified where it is essential to prevent a serious and imminent risk to public health, national security, to protect other people from risks of serious harm or death, or to prevent or detect serious crime.
- Identification of vulnerable people by housing providers is an important part of their role so reasonable measures can be taken to protect their health, safety, or care needs. A person-centred fire risk assessment is part of this process and considering Liam's health issues, he was a vulnerable person and therefore a PCFRA should have been completed.

RECOMMENDATIONS:

- Mandatory fire safety in the home training for all provider care staff within commissioned services.
- Care providers report any refusals/gaps of care and notify the commissioning authority in accordance with care plans, and that any fire or safeguarding risks have been appropriately addressed or referred in line with the Care Act.
- Raise awareness of risk mitigation options regarding fire safety across all partner agencies. Ensure that information about known risks is shared and escalated via multi-agency working i.e., MDT.
- Where an adult refuses a home fire safety visit, or where the fire service is unable to access the property, the fire service provides relevant feedback, support or training, so the home fire safety visit is completed by the appropriate agency on the fire service's behalf.
- The ISAB to escalate this case via the LGA process to ascertain if there is now sufficient evidence base for a change in the law, to enable fire services to secure legal powers to apply for fire safety prevention orders.
- Where an adult has telecare and smokes, that the smoke alarm be linked to the telecare system.
- Housing providers have effective processes for identifying vulnerable people in their customer contact records, so PCFRA's can be completed.
- Risks assessments/reviews are timely and include fire risks.

FURTHER RESOURCES

SAR report - Liam, 2023: [Islington SAR report Liam DRAFT Final \(nationalnetwork.org.uk\)](https://nationalnetwork.org.uk)
 NLSAB VARM: [North-Lincolnshire-VARM-Policy-FINAL.pdf \(northlincssab.co.uk\)](https://www.northlincssab.co.uk)
 Mental Capacity Act (2005): [Mental Capacity Act 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk)
 NLSAB enhanced safeguarding threshold document and risk matrix: [Risk-Matrix-and-Thresholds-2023-updated.pdf \(northlincssab.co.uk\)](https://www.northlincssab.co.uk)
 NLSAB 7-minute briefing - information sharing: [7-MB-Information-Sharing-FINAL.pdf \(northlincssab.co.uk\)](https://www.northlincssab.co.uk)

NLSAB report safeguarding concern: [North Lincs SAB | Reporting a Concern - North Lincs SAB](https://www.northlincssab.co.uk)
 HFRS referral for a home fire safety visit: [Referral and contact | Humberside Fire](https://www.humbersidefire.co.uk)
 HFRS safety in the home advice: [Safety in the home advice | Humberside Fire](https://www.humbersidefire.co.uk)
 Fire Safety Act (2021): [Fire Safety Act 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk)
 Fire risk assessment guidance: [Fire Risk Assessment guidance | Humberside Fire](https://www.humbersidefire.co.uk)