

PERTH AND KINROSS COUNCIL SCRUTINY COMMITTEE

**Scrutiny Committee
27 November 2019**

**Perth and Kinross Council
18 December 2019**

ADULT SUPPORT AND PROTECTION ANNUAL REPORT 2018-19

Report by Jacquie Pepper (Chief Social Work Officer) (Report No. 19/348)

PURPOSE OF REPORT

This report provides an update of the work of the Perth and Kinross Adult Protection Committee (APC) and activity over the 2018-2019 information to protect adults who may be at risk of harm.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Adult Support and Protection (Scotland) Act 2007 (The Act) seeks to protect and benefit adults at risk of being harmed who are unable to protect themselves.

The Act defines 'adults at risk' as those who:

- Are unable to safeguard their own well-being, property, rights or other interests;
- Are at risk of harm; and
- Are more vulnerable to being harmed because they are affected by disability, mental disorder, illness or physical or mental infirmity than adults who are not so affected.

Harm means all harm including self-harm and neglect. The definition of an adult at risk includes people aged 16 and over.

- 1.2 The Act places a duty on Local Authorities to make inquiries about a person's wellbeing, property or financial affairs when there is a concern that they may be at risk and to intervene to protect him or her from being harmed. In order to make inquiries, the Act authorises Officers of the Local Authority (Registered Social Workers) to carry out visits, conduct interviews or require health, financial or other records to be produced in respect of an adult at risk. The Act also allows a health professional (e.g. doctor or nurse) to conduct a medical examination. Any intervention must provide benefit to the adult and needs to be the least restrictive option with regard to the adult's freedom and choice. This includes the provision of appropriate services, including independent advocacy.
- 1.3 The Act requires the following public bodies to co-operate with Local Authorities and with each other where harm is known or suspected:
- The Mental Welfare Commission for Scotland;
 - The Care Inspectorate;

- The Public Guardian;
- All Councils;
- Chief Constable of Police Scotland;
- Health Boards; and
- Any other public body or office holder that Scottish Ministers specify.

The public bodies and their officers must advise the relevant Local Authority if they know or believe that a person is an adult at risk and that action needs to be taken in order to protect that person from harm.

- 1.4 The Act creates an obligation on Local Authorities to establish multi-agency Adult Protection Committees. These Committees are responsible for overseeing local adult protection arrangements, providing guidance and information across services and must produce a Biennial report on the exercise of the Committee's functions. The Act requires the Convener of the Adult Protection Committee to be independent of the Local Authority. The individual must be seen to be independent in thought and action as well as someone who has the necessary skills and knowledge. It is good practice to appoint a Convener who is independent of all representative bodies. The Perth and Kinross Adult Protection Committee (APC) is chaired by an Independent Convenor. It has a range of statutory, private and voluntary organisations and carer representatives.
- 1.5 The Act places a statutory duty on the Convenor of the Adult Protection Committee to submit a Bi-ennial report to the Scottish Government which is due in October every second year. In the interim year the Perth and Kinross Adult Protection Committee produces an annual report to ensure effective monitoring of performance.
- 1.6 Under the The Public Bodies (Joint Working) (Prescribed Local Authority Functions etc.) (Scotland) Regulations 2014 some provisions of the 2007 Act have been delegated to the Integration Joint Board. In Perth and Kinross, the Integration Joint Board has directed that Perth and Kinross Council should continue to carry out these functions on its behalf.
- 1.7 **Adults at risk in Perth & Kinross**

An analysis of the data over the last year highlights some important information which the Adult Protection Committee will use to determine its future focus.

Older people, especially those over the age of 81 account for 38% of all ASP cases and are disproportionately represented in relation to other age groups. People over the age of 65 account for 69% of all cases.

Females account for 64% of ASP cases.

The majority of people 87% are of a white UK / Scottish background compared with 92% last report.

Dementia and frailty are the most prevalent conditions accounting for 65% of cases. Financial harm is identified in 32% of adults at risk followed by physical harm at 27% and neglect at 20%.

The home address is the main location of harm in 57% of cases with care homes decreasing to 28%

1.8 Impact on Adults at risk

- 83% felt safer
- 4% led to criminal proceeding
- 30 people supported by Independent Advocacy

1.9 The main achievements over the past year

- Financial harm work is ongoing with introduction of the banking protocol and new processes implemented for financial harm by paid carers.
- Increased referrals from health
- Improving the management information and performance outcome framework to accurately reflect activity and identify trends based on an accredited self evaluation model.
- A conference was held in March 2018 on addressing the effects of trauma throughout life. A booklet has been developed, courses have been delivered with staff and more are planned for 2019-20.
- Established contact with inter faith leaders
- Evaluate partnership risk profile
- Implement better arrangements for protecting residents in care settings
- Analysed the ASP national thematic inspection results and the key messages and added identified action to the Improvement plan especially in relation to chronologies, protection plans, outcomes and Independent Advocacy.
- Joint working in Tayside has led to development of learning framework and a regional ASP dataset is in progress

1.9 Main areas for developments 2019-2020

- Increased engagement with adults, families and carers especially college students, learning disability groups and community faith leaders
- Better connections with other protection services
- Improving practice and service improvement by better use of data
- Monitor the improvement of the quality of chronologies by ongoing training, auditing of cases and team leader monitoring.
- Monitor the referrals to Independent advocacy on a quarterly basis and by locality areas.
- Collate questionnaire information in relation to people with learning disabilities to check that current service provision is meeting needs.

2. PROPOSALS

- 2.1 The Adult Support and Protection Committee is accountable to the Perth and Kinross Chief Officers Group which includes the Chief Executives of the Council and NHS Tayside and the Area Commander for Police Scotland as they hold joint accountability for public protection and reports to the Integration Joint Board and Community Planning Partnership. Bill Atkinson is the Independent Chair of the Adult and Child Protection Committees. In order to ensure that all elected members are informed about strategic matters relating to public protection the annual reports on both child and adult protection will be presented at the same time in a similar format based on a self evaluation model.

3. CONCLUSION AND RECOMMENDATIONS

- 3.1 The Perth and Kinross Adult Protection Committee is committed to continuous improvement and protecting adults at risk of harm. This report provides assurance that the Committee has, over the last year, been developing greater oversight of the needs of adults at risk and understanding about areas for improvement. An improvement plan has been developed for 2019 – 2020 and will be closely monitored by the APC to ensure ongoing development. There is also a recognition that the APC now needs to further develop approaches to self-evaluation and opportunities to work more closely with the Perth and Kinross Child Protection Committee.
- 3.2 It is recommended that:
- (i) The Scrutiny Committee scrutinise and comment as appropriate on the contents of the Adult Support and Protection Annual Report.
 - (ii) The Council be requested to note the contents of the Adult Protection and Protection Annual Report.

Author(s)

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Approved

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Y
Corporate Plan	Y
Resource Implications	
Financial	N
Workforce	N
Asset Management (land, property, IST)	N
Assessments	
Equality Impact Assessment	N
Strategic Environmental Assessment	N
Sustainability (community, economic, environmental)	N
Legal and Governance	N
Risk	N
Consultation	
Internal	N
External	N
Communication	
Communications Plan	N

1. Strategic Implications

Community Plan / Single Outcome Agreement

1.1 People in Vulnerable circumstances are protected.

Creating safer communities is a key element in protecting people. The wide range of themes in Community Safety allows a broad approach to community safety issues.

Strategic Plan

1.2 Key theme 5 – making the best use of available facilities, people and resources.

Our priority is to Ensure that vulnerable people remain safe and are protected from harm from others, themselves and the community through the monitoring and implementation of clinical and care governance standards and adult protection measures

2. Resource Implications

Financial

2.1 This report contains no proposals which would have a financial impact.

3. Assessments

3.1 Equality Impact Assessment

Not relevant

Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. However, no action is required as the Act does not apply to the matters presented in this report. This is because the Committee are requested to note the contents of the report only and the Committee are not being requested to approve, adopt or agree to an action or to set the framework for future decisions.

Sustainability

- 3.3 There are no issues in respect of sustainability from the proposals in this report.

Legal and Governance

- 3.4 This report contains no proposals which would have a legal or governance impact.

Risk

There are no issues in respect of risk from the proposals in this report.

4. Consultation

Internal - statistics provided

External - multi-agency partners involved in information and statistics

5. Communication

- 5.1 There are no communication issues in respect of the proposals in this report.

2. BACKGROUND PAPERS

None

3. APPENDICES

Adult Protection Committee Annual Report 2018-19