

PERTH AND KINROSS COUNCIL

3 October 2018

PERTH & KINROSS ADULT PROTECTION COMMITTEE BI-ENNIAL REPORT 2016-18

Report by Chief Social Work Officer (Report No. 18/325)

PURPOSE OF REPORT

This report provides an update of the work of the Perth and Kinross Adult Protection Committee (APC) and activity over the 2016-2018 information to protect adults who may be at risk of harm. A bi-ennial report is required for submission to the Scottish Government by law.

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 2018 and produced at Appendix 1. 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 two years highlights some important information which the Adult Protection Committee will use to determine its future focus.

Almost half of adults at risk in Perth and Kinross are over 80 years old. This consists of two main client groups with infirmity of old age accounting for two-thirds and people with dementia accounting for the other third.

People with a learning disability account for 30% of all adults at risk. As adults with a learning disability make up only 6% of overall population, this

demonstrates that people with a learning disability are at greater risk of harm and abuse.

Physical harm is identified in over half of adults at risk and neglect is experienced by a quarter.

A Care Home was the location of harm for 56% of people at risk..

1.8 The main achievements over the past 2 years

- Financial harm work is ongoing with introduction of the banking protocol and new processes implemented for financial harm by paid carers.
- Work with Care Homes and Care at Home organisations to explore current issues and develop an action plan to address identified areas.
- Increasing referrals are being received for self-neglect and hoarding which has resulted in specific policies and training in relation to dealing with these issues.
- Improving the management information and performance outcome framework to streamline 6 monthly stats to cover a 4-5 year period to identify trends over time.
- A conference was held in March 2018 on addressing the effects of trauma throughout life. There is ongoing work in relation to adverse childhood experiences and vulnerabilities.
- Working with the Minority Ethnic Hub meeting to gain more understanding of the challenges facing different ethnic groups in Perth & Kinross.
- Health and social care integration has raised the profile of ASP in localities and at a strategic level.
- Police Scotland officers work closely with social work staff to identify repeat victims of harm and disability hate crimes to develop personal safety plans and identify other supports needed.

1.9 Main areas for developments 2018-2020

- Capture service user and carer experience in the best way to ensure views are heard and changes made if required.
- Analyse the ASP national thematic inspection results and carry out self-evaluation in relation to the key messages for APC recorded in report.
- Ensure actions from improvement plan developed following audits have been implemented and reported back to APC in relation to chronologies, protection plans and recording of outcomes.
- GP engagement, their role in process and impact of their involvement as capacity still a key issue.
- Enhance learning and stream line processes in health and social care partnership.
- Agree areas of joint working in Tayside in relation to key processes and learning and development.

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. Alex Davison was the Independent Convener of the Committee from 2013 and Bill Atkinson, former Director of Social Work and Housing and Chief Social Work Officer for Perth and Kinross Council took up this role in May 2018 alongside the role of Independent Chair of the Perth and Kinross Child Protection Committee. In order to ensure that all elected members are informed about strategic matters relating to public protection it is proposed that annual reports are provided to Perth and Kinross Council on both child and adult protection. A similar recommendation will be made to the Perth and Kinross Integration Joint Board at its meeting on 28 September 2018.

3. CONCLUSION

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 two years, been developing greater oversight of the needs of adults at risk and understanding about areas for improvement. An improvement plan has been developed for 2018 – 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.

The Council is requested to:

- 3.1 Note the contents of the bi-ennial report to be submitted to the Scottish Government in October.
- 3.2 Agree to annual update reports on child and adult protection in Perth and Kinross.

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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 on the Council.

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 on the Council.

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 Bi-ennial Report 2016-18