



Internal Audit Report
Housing and Community Care
Adult Protection
Assignment No. 16-08
August 2016

Final Report

Finance Division
Corporate and Democratic Services
Perth & Kinross Council
Blackfriars Development Centre
North Port
Perth PH1 5LU

Internal Audit

In March 2013, the Audit Committee approved the Public Sector Internal Audit Standards (PSIAS) as the relevant standard for its Internal Audit activity. The definition given in the PSIAS is as follows:

“Internal Audit is an independent, objective assurance and consulting activity designed to add value and improve an organisation’s operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes”.

Background and Introduction

This assignment forms part of the Internal Audit plan for 2016/17 approved by the Audit Committee on the 30th March 2016. Audit testing was carried out during April and May 2016.

The Adult Support and Protection (Scotland) Act 2007 seeks to protect and benefit adults at risk of being harmed. The Act requires Councils and a range of public bodies to work together to support and protect adults who are unable to safeguard themselves, their property and their rights.

The public bodies are required to work together to take steps to decide whether someone is an adult at risk of harm, balancing the need to intervene with an adult's right to live as independently as possible.

Each Local Authority area across Scotland has an Adult Protection Committee in place. These committees set the strategic direction for multi-agency working at the local level in accordance with the Act.

Scope and Limitations

This audit focussed on the Council’s processes for dealing with referrals as part of the multi-agency approach and adherence to the relevant procedures. The audit did not review the work of the other agencies.

Control Objectives and Opinions

This section describes the purpose of the audit and summarises the results. A ‘control objective’ is a management objective that requires the maintenance of adequate and effective internal controls to ensure that it is achieved. Each control objective has been given a rating describing, on the basis of the audit work done, the actual strength of the internal controls found to be in place. Areas of good or poor practice are described where appropriate.

Control Objective: To provide assurance over the process being followed for the protection of adults referred to the Council
Auditor’s Comments: Operational guidelines include the processes to be followed by staff and the partner agencies, in respect of protecting adults referred to the Council. The guidelines are comprehensive and include the required action when harm, mistreatment or neglect is suspected or has taken place. The guidelines clarify the

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roles and responsibilities of those involved.

The guidelines are aligned to the relevant Code of Practice issued by the Scottish Government in April 2014, although there is scope to further align these documents. Similarly, there is benefit in updating some of the Adult Support and Protection literature and the related Council webpages.

Testing confirmed that the process as per the guidelines was followed for 10 of 12 reviewed cases. The two other cases were due to delays in receiving reports. The Service was already reviewing processes in this regard. There was also feedback to the referrer for 11 of these cases. There is scope to expand the Service case file audit template to test for such feedback.

A requirement of the Adult Support and Protection (Scotland) Act 2007 is for an Adult Protection Committee (APC) to review the relevant procedure and practices. The Service advised that the APC approved the guidelines in March 2015. However, the meeting minutes did not formally approve these but resolved that the draft guidance be sent to Committee members for comment.

Awareness and specialist training sessions aimed at ensuring staff can recognise and respond to any identified or suspected harm have been delivered to a mix of staff including those from partner agencies.

The arrangements for the referral of adults at risk of harm are available externally and a communication plan is in place aimed at supporting the protection of vulnerable people in Perth and Kinross.

The Service Business Management Improvement Plan and Adult Support and Protection Statistics contain adult protection performance measures which are reported within the Council and also to the Community Safety and Environment Group. The Service advised that the performance information will also be reported to the Community Planning Partnership. Audit testing revealed minor differences in some of the performance figures. The Service advised the differences were due to timing issues and the manual collation of some data and that a Systems Analyst has been utilised to help address the matter. For 2015/16, 94% of cases were screened within 24 hours, compared with 77% from 2014/15. The Service is planning to further monitor performance standards by telephoning a sample of individuals who were subject to or had submitted a referral.

The separate Tayside Multi-Agency Adult Support and Protection Protocol was presented for approval to the APC in December 2015, but the minutes state that the meeting proceeded inquorate.

Strength of Internal Controls:	Moderately Strong
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Management Action and Follow-Up

Responsibility for the maintenance of adequate and effective internal controls rests with management.

Where the audit has identified areas where a response by management is required, these are listed in Appendix 1, along with an indication of the importance of each 'action point'. Appendix 2 describes these action points in more detail, and records the action plan that has been developed by management in response to each point.

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It is management's responsibility to ensure that the action plan presented in this report is achievable and appropriate to the circumstances. Where a decision is taken not to act in response to this report, it is the responsibility of management to assess and accept the risks arising from non-implementation.

Achievement of the action plan is monitored through Internal Audit's 'follow up' arrangements.

Management should ensure that the relevant risk profiles are reviewed and updated where necessary to take account of the contents of Internal Audit reports. The completeness of risk profiles will be examined as part of Internal Audit's normal planned work.

Acknowledgements

Internal Audit acknowledges with thanks the co-operation of the Council's Adult Protection Coordinator during this audit.

Feedback

Internal Audit welcomes feedback from management, in connection with this audit or with the Internal Audit service in general.

Distribution

This report has been distributed to:

B Malone, Chief Executive;

J Walker, Depute Chief Executive, Corporate and Community Development Services;

B Atkinson, Director (Social Work), Education and Children's Services;

C Johnston, Joint Head of Community Care;

D Fraser, Joint Head of Community Care;

J Symon, Head of Finance;

K McNamara, Head of Strategic Commissioning and Organisational Development;

N Rogerson, Service Manager, Community Safety;

M Notman, Adult Protection Coordinator;

G Taylor, Head of Democratic Services;

P Dickson, Complaints & Governance Officer;

External Audit

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Authorisation

The auditor for this assignment was D McCreadie. The supervising auditor was M Morrison.

This report is authorised for issue:

Jacqueline Clark
Chief Internal Auditor
Date: 19 August 2016

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Appendix 1: Summary of Action Points

No.	Action Point	Risk/Importance
1	Updating of Guidelines	Low
2	Webpage and Literature	Low
3	Approval of Guidelines	Low
4	Referred Cases	Medium
5	Performance Information	Low
6	Quorate Meeting	Medium

Appendix 2: Action Plan

Action Point 1 - Updating of Guidelines

The Adult Support and Protection (Scotland) Act 2007 multi agency guidelines are aligned to the relevant Code of Practice issued by the Scottish Government in April 2014. Audit testing revealed scope to further align these guidelines to the Code, for example, to include Healthcare Improvement Scotland as a public body.

There is also scope for the guidelines to emphasise the legal duty that even where there is doubt a referral should be made and counted as a referral by the Council.

There would be benefit in issuing a reminder to relevant staff once the updated guidelines are approved and issued.

Management Action Plan

The Adult Protection Coordinator will arrange for the Perth and Kinross multi agency guidelines to be updated to include Healthcare Improvement Scotland as a public body and emphasise the legal duty that even where there is doubt a referral should be made and counted as a referral.

The updated guidelines will be presented to the Perth and Kinross Adult Protection Committee for their approval and a reminder will be issued to the relevant staff thereafter.

Importance:	Low
Responsible Officer:	M Notman, Adult Protection Coordinator
Lead Service:	Housing and Community Care
Date for Completion (Month / Year):	September 2016
Required Evidence of Completion:	Extract of approval from APC minutes and reminder issued to relevant staff

Auditor's Comments

Satisfactory

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Action Point 2 - Webpage and Literature

There would be benefit in reviewing some of the Adult Support and Protection pages published on the Council's website. For example, the stated aim on the relevant landing page is to ensure that adults at risk are protected from harm, but the page doesn't define the term adult.

Similarly, there is scope to refresh the resource library webpage as the most recent published case was dated 2012.

The leaflet entitled "What is Adult Support and Protection" refers to a new law, although this law was introduced in 2007.

Management Action Plan

The Adult Protection Coordinator will arrange for the Adult Support and Protection pages on the Council's website to be updated, for example, to define the term adult and include a published case which is more recent than 2012.

The "What is Adult Support and Protection" leaflet will also be updated to ensure that it does not refer to a new law.

Importance:	Low
Responsible Officer:	M Notman, Adult Protection Coordinator
Lead Service:	Housing and Community Care
Date for Completion (Month / Year):	July 2016
Required Evidence of Completion:	Extract from updated webpage and updated leaflet

Auditor's Comments

Satisfactory

Action Point 3 - Approval of Guidelines

The Adult Support and Protection (Scotland) Act 2007 requires each Council to set up an Adult Protection Committee (APC) whose responsibilities include reviews of the procedures which safeguard adults at risk in the area.

The latest Perth and Kinross Multi Agency guidelines were presented to the APC for approval in March 2015. However, that meeting did not formally approve the guidelines as the recorded action was for the draft guidance to be circulated to members of the Committee for comment. At the date of audit testing, the latest guidelines had therefore not been formally approved by the Committee.

Management Action Plan

The Adult Protection Coordinator will arrange for the Perth and Kinross Multi Agency guidelines to be formally approved by the Perth and Kinross Adult Protection Committee.

Importance:	Low
Responsible Officer:	M Notman, Adult Protection Coordinator
Lead Service:	Housing and Community Care
Date for Completion (Month / Year):	September 2016
Required Evidence of Completion:	Extract from APC minutes approving guidelines.

Auditor's Comments

Satisfactory

Action Point 4 - Referred Cases

Audit testing of 12 randomly selected cases regarding adults referred to the Council revealed that the correct process had been followed for 10 of these cases.

The two remaining cases related to referrals where there was a delay in receiving the reports. In one case the actions taken by the Service were deemed as adequate by the Auditor. The other case related to an administrative error. At the date of audit testing, the Service was taking action to review processes to minimise the reoccurrence of such an error.

The above testing also revealed that feedback was made to the referrer for 11 cases. The Service advised that the remaining case was an oversight. There is scope to expand the Service case file audit template to include the testing of feedback regarding the outcomes of referrals.

Management Action Plan

The Service is updating and agreeing the referral process to ensure that care homes send referral cases via email wherever possible, or always telephone to follow up.

The case file audit template will be expanded to test for evidence of feedback regarding the outcome of referrals.

Importance:	Medium
Responsible Officer:	M Notman, Adult Protection Coordinator
Lead Service:	Housing and Community Care
Date for Completion (Month / Year):	December 2016
Required Evidence of Completion:	Copy of updated referral process

Auditor's Comments

Satisfactory

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Action Point 5 - Performance Information

Audit testing revealed minor differences in the performance information contained in the Standards and Quality Report 2014/15 and the corresponding Adult Support and Protection (ASP) Statistics. The Service accepted that there were such differences, explaining this was due to timing issues and the manual collation of some data.

The Service advised that they had utilised a council Systems Analyst who is reformatting the recording and reporting of this information.

Management Action Plan

The Service will complete their review of the formatting, presentation and reporting of the Adult Support and Protection performance information. This revised performance information will be reported to the Community Care Management Team.

Importance:	Low
Responsible Officer:	M Notman, Adult Protection Coordinator
Lead Service:	Housing and Community Care
Date for Completion (Month / Year):	December 2016
Required Evidence of Completion:	Extract from updated ASP performance information reported to CCMT.

Auditor's Comments

Satisfactory

Action Point 6 - Quorate Meeting

The updated Tayside Multi-Agency Adult Support and Protection Protocol was presented to the Perth and Kinross Adult Protection Committee for their approval on the 4 December 2015.

The relevant minutes resolve that the updated document be approved. However, the minute states that the meeting proceeded inquorate and the minutes need to be ratified at the next quorate Committee meeting.

Whilst the draft minutes for the following APC meeting refer to the inquorate meeting and ratified their approval, there would be benefit in ensuring that when a quorum is not met the meeting either does not continue or each action is recorded as noted then ratified and resolved at the next quorate meeting.

Failure to ensure a quorum may lead to the risk that agreed actions could be deemed invalid and open to challenge.

Management Action Plan

The Adult Protection Coordinator will present a discussion paper to the next Adult Protection Committee meeting scheduled for September 2016.

Dependent on the outcome of the above meeting, a paper will thereafter be presented for approval to a subsequent APC meeting regarding a change to their constitution which clarifies the required action should a meeting be inquorate.

Importance:	Medium
Responsible Officer:	M Notman, Adult Protection Coordinator
Lead Service:	Housing and Community Care
Date for Completion (Month / Year):	December 2016
Required Evidence of Completion:	APC papers which details and approves their quorate rules.

Auditor's Comments

Satisfactory