



PERTH AND KINROSS HEALTH AND SOCIAL CARE PARTNERSHIP

Integration Joint Board

28 September 2018

Adult Protection Committee Bi-ennial Report 2016-18

Report by Chief Social Work Officer, Perth and Kinross Council / Independent Convener, Adult Protection Committee (Report No. G/18/151)

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 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 Act places a statutory duty on the Convener 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.
- 1.4 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. The Bi-ennial report will be considered by Perth and Kinross Council at its next meeting on 3 October 2018 alongside the Child Protection Committee's annual Standard and Quality Report.

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 IJB Board Members and elected members of Perth and Kinross Council are informed about strategic matters relating to public protection it is proposed that annual reports are provided to Perth and Kinross Council and the Perth and Kinross Integration Joint Board on both child and adult protection.

3. CONCLUSION

The Perth and Kinross Adult Protection Committee is committed to continuous improvement and protecting adults at risk of harm. 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. 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 IJB is requested to:

- 3.1 Note the contents of the bi-ennial report to be submitted to the Scottish Government in October 2018;
- 3.2 Request a report on the activity of the Perth and Kinross Child Protection Committee over 2017 to 2018 to its next meeting; and
- 3.3 Request that a development session is held on the subject of child and adult protection by end of November 2018.

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Approved

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