

PERTH AND KINROSS COUNCIL

Community Safety Committee

18 January 2017

Adult Support and Protection Biennial Report 2014-16

Report by Bill Atkinson (Director of Social Work)

PURPOSE OF REPORT

This report provides a summary of the Adult Support and Protection Biennial Report that covers the period 1 April 2014 - 31 March 2016.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Adult Support and Protection (Scotland) Act 2007 seeks to protect and benefit adults at risk of being harmed. Public bodies are required to work together to take steps to decide whether an adult is at risk of harm, balancing the need to intervene with an adult's right to live as independently as possible
- 1.2 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
 - Because they are affected by disability, mental disorder, illness or physical or mental infirmity are more vulnerable to being harmed 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
- 1.3 Any intervention must provide benefit to the adult, that this benefit could not be reasonably achieved without intervention and that any intervention is the least restrictive option with regard to the adult's freedom.
- 1.4 The Act places a duty on councils to make inquiries about an individual's well-being, property or financial affairs where the council knows or believes that the person is an adult at risk and that it may need to intervene to protect him or her from being harmed. The council has a duty to consider providing appropriate services, including independent advocacy, to support adults where an intervention under the Act is considered to be necessary.
- 1.5 In order to make inquiries, the Act authorises council officers 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. However, a person is not obliged to answer any questions put to them in an

interview, and must be informed of their right to refuse to be examined before a medical examination is carried out.

1.6 The Act requires the following public bodies to co-operate with local councils and with each other, where harm is known or suspected:

- The Mental Welfare Commission for Scotland
- The Care Commission
- The Public Guardian
- All Councils
- Chief Constable of Police Scotland
- The relevant Health Board; and
- Any other public body or office holder that Scottish Ministers specify

The public bodies or officers must advise the relevant council 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.

1.7 The Act creates an obligation on councils to establish multiagency Adult Protection Committees. These committees are responsible for overseeing local adult protection polices in their area and will each produce a biennial report on the exercise of the Committee's functions. They will also provide advice and information to those involved in adult protection work. Councils are responsible for appointing the convener and committee members. They may also appoint members to the Committee based on their relevant knowledge and skills, each committee must include nominated representatives from the relevant Health Board and police force.

1.8 The Perth and Kinross Adult Protection Committee (APC) is chaired by an Independent Convenor and has a range of statutory, private and voluntary organisations, carer and other relevant people which oversee Adult Support and Protection (ASP) processes in Perth and Kinross. Representation on the APC has been widened to encompass a more diverse range of agencies such as financial institutions, a General Practitioner, Independent advocacy, the Scottish Ambulance Services and the Scottish Fire and Rescue Service.

1.9 The Act placed a statutory duty on the Convenor of the Adult Protection Committee Councils to submit a Bi-ennial report to the Scottish Government.

2. PROPOSALS

The report highlights the following key strengths:

1. One of the main priorities has been working with Care Homes to develop processes for dealing with challenging behaviour and reporting of incidents. The partnership working with the NHS care Liaison team has been an integral part of the process.
2. Improving quality assurance processes by the addition of an annual audit in relation to large scale investigations.
3. The focus on financial harm and the engagement of financial institutions. The Adult Protection Committee has a representative from

a bank which has resulted in referrals for unusual activity on bank accounts of vulnerable people. Locally the APC has supported the national media campaigns on financial harm with local coverage and information.

4. Multi-agency operational guidance and other policies updated
5. Involvement of research and consultant officer to improve analysis of adult support and protection statistics. This has resulted in new quarterly format and will have annual/bi-ennial reports produced from now.
6. Partnership working to Police Scotland to ensure that vulnerable person reports are screened effectively to allow for a more targeted approach to those most at risk.
7. Established a Perth & Kinross Protecting People Communications Group to coordinate the approach to public information, communication and engagement aimed at protecting people and keeping them safe.

An improvement plan has been reviewed to include the identified areas and the following progress has been made.

1. Focus on the screening of all adult protection referrals within 24 hours have resulted in continuous improvement and the current figure is 90%
2. Number of Large Scale Investigations.
 - Review and audit of challenging behaviour policy in all Care Homes
 - Allocation of community health nurse to each Care Home
 - Allocation of a community health nurse in ASP processes when the alleged perpetrator has dementia.
3. Financial harm workshops have been held with financial institutions and solicitors and a larger financial harm conference is planned for October 2016.
4. Engagement with Integrated Joint Board for Health and Social care Integration to ensure adult protection is embedded.
5. Meetings with childcare services to ensure processes are in place to address the impact of the Children's and Young Persons Act on 16-18 year olds.
6. Review the management information and performance outcome framework with a particular focus on key outcome measures.
7. Review our advocacy arrangements, address shortfall, and methods of engagement.
8. Introduction of Wilful neglect and Ill treatment – develop policies and practice across agencies
9. Develop appropriate activity and analysis/policy for Hidden Harm and Hate Crime. Begin to explore further protective support for key groups; learning disability, mental health; and to consider how best to support work with different cultural groups and transient populations.

The Adult Protection Committee has continued to review, evaluate and consolidate its work by effective partnership working to deliver the best possible outcomes for adults at risk in Perth and Kinross.

3. CONCLUSION AND RECOMMENDATION(S)

This report provides an overview of Adult Support and Protection activity in Perth and Kinross and identifies the priority areas for the coming year. It is recommended that members note the content of the report.

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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
Resilient, responsible and safe communities

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.

Corporate Plan

- 1.2 Creating a safe and sustainable place for future generations

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.

2. Resource Implications

Financial

- 2.1 This report contains no proposals which would have a financial impact on the Council.

Workforce

- 2.2 There are no workforce implications arising from this report.

Asset Management (land, property, IT)

- 2.3 There are no Asset Management implications arising from this report.

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

APC Biennial Report 2014-16