
Report to Scrutiny Committee

Date of Meeting: 23 February 2012

Subject: Adult Support and Protection

**Report by: Head of Joint Social Services Clackmannan and
Stirling**

1.0 Purpose

- 1.1 This paper provides an update to the Scrutiny Committee for Adult Support and Protection activity from October 2010 to September 2011.
- 1.2 The Adult Support and Protection (Scotland) Act, 2007 has had a phased introduction, starting in October 2008 and is now fully in force.
- 1.3 The main purpose of this legislation is to ensure adequate protection and supportive agency response for adults who are or who may be at risk of harm.
- 1.4 Key to the implementation of the Act has been the establishment of a Forth Valley-wide Adult Protection Committee, involving a range of key stakeholders including Forth Valley NHS, Central Scotland Police, and all three local authorities as partners. One representative each from the Care Inspectorate, Procurator Fiscal Service, Advocacy Services and the local Third Sector also attend the Adult Protection Committee.
- 1.5 An independent Chair of the Adult Protection Committee is in place and the post of Lead Officer for the Council has also been established.
- 1.6 The Act is a complex piece of legislation, which has had a significant impact on the task range being undertaken by staff.
- 1.7 In Clackmannanshire demand and referral rates show a 20% increase (from 52 to 65 referrals), a trend which it is anticipated will continue to rise following the national publicity campaign aimed at GP practices and NHS services.

2.0 Recommendations

- 2.1 That members note the activity undertaken to ensure adequate protection and support to adults who are at risk of harm.

3.0 Considerations

- 3.1 The main provisions in Part 1 of the Act introduce new duties and powers to identify, support and protect adults at risk of harm which include:
- Placing a duty on the council to make enquiries and undertake investigations to establish whether or not actions are required to stop or prevent harm occurring.
 - A requirement for specified public bodies to co-operate with local councils and each other in investigating suspected or actual harm.
 - The introduction of a range of protection orders including assessment, removal and banning orders; and
 - A legislative framework for the establishment of local multi-agency Adult Protection Committees across Scotland.
- 3.2 There have been significant implications for the Council arising from the legislation. In particular, the restriction of a range of functions to Council Officers designated to undertake these tasks which include visits, conduct interviews or require health, financial or other records to be produced for examination. All designated Council Officers are based within Adult Social Care Services.
- 3.3 To meet the requirements of Council Officer status staff have required intensive training programmes which have been developed at national level for local delivery.

Adult Protection Committee

- 3.4 The Forth Valley Adult Protection Committee (APC) was established in November 2008 with an independent chair and representatives from the three Councils, NHS Forth Valley, Central Scotland Police and other key stakeholders eg the Care Inspectorate, and Procurator Fiscal service.
- 3.5 The Adult Protection Committee produces a bi-ennial report on development and activity levels within the Forth Valley area. The first bi-ennial report was considered at Scrutiny Committee last year and the second report will be brought forward in 2013.
- 3.6 The Adult Protection Committee has a lead role in the development of policy, procedures, inter agency working, and all levels of training from awareness raising to specific level 1 and 2 training designed for Council Officers.

Resources

- 3.7 A Forth Valley-wide training post was established in June 2009 to undertake the delivery and development of level 1 and 2 training and awareness raising with statutory services and providers, including third sector organisations. In total across all of the sectors the training will be provided to approximately 9,000 staff.

- 3.8 Clackmannanshire Council seconded a Mental Health Officer to the post of Lead Officer for Adult Support and Protection. The Lead Officer also has responsibility for the Mental Health Officer service at this point.

Demand for Services

- 3.9 Demand and referral rates have shown a 20% (Clackmannanshire) 22 % (Stirling) and rise in the period October 2010 to September 2011 from 52 to 65 referrals and from 117 to 151 referrals respectively, a trend which it is anticipated will continue to rise following the imminent national publicity campaign aimed at GP practices and NHS services.
- 3.10 Council processes, procedures, policy and practice are being reviewed by the ASP Lead Officers and will be further developed and monitored to ensure outcomes are being achieved.

Audit and Quality Assurance

- 3.11 The implementation plan for Adult Support and Protection services is part of the service development plan for Adult Social Care services and the improvement plan required by the Care Inspectorate.
- 3.12 The continued implementation of the Act will highlight further need for care provision services and any policy implications would be highlighted through service development proposals.
- 3.13 Further to the biennial report there was further scrutiny by the Scottish Government. In addition there is a plan nationally for further qualitative research by Eskogen in 2012.

Service Developments

- 3.14 Recent activity is the development of a Hub for public protection. The emphasis is currently on Child Protection. The intention is to influence the balance in the future and expand the service to contribute to the whole systems approach of public protection.

4.0 Sustainability Implications

- 4.1 Resources including appropriate staff are in place to sustain the delivery of this service over the coming year.

5.0 Resource Implications

- 5.1 *There are no financial implications.*

- 5.2 The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes ☒

- 5.3 Finance have been consulted and have agreed the financial implications as set out in the report. Yes ☒

5.4 Staffing

6.0 Exempt Reports

6.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities 2008 - 2011** (Please double click on the check box ☒)

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input checked="" type="checkbox"/>
Vulnerable people and families are supported	<input checked="" type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input checked="" type="checkbox"/>

(2) **Council Policies** (Please detail)

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☒ No ☐

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".
None


11.0 Background Papers

- 11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
- Yes ☐ (please list the documents below) No ☒

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Approved by

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