

DUNDEE CITY COUNCIL

REPORT TO: Social Work Committee - 21 February 2005

REPORT ON: Protocol on Protecting Vulnerable Adults in Tayside

REPORT BY: Director Of Social Work

REPORT NO: 109 - 2005

1.0 PURPOSE OF THE REPORT

1.1 This report provides members with details of a draft Protocol for the Protection of Vulnerable Adults in Tayside. It also seeks members' approval of the contents and their agreement to Dundee City Council becoming signatories to the Protocol. A copy of the Protocol has been passed to each of the group secretaries and is available in the members' lounge.

2.0 RECOMMENDATIONS

It is recommended that the Social Work Committee: -

- 2.1 Notes the content of the report.
- 2.2 Notes and approves the content of the Protocol for the Protection of Vulnerable Adults in Tayside.
- 2.3 Agrees to adopt the Protocol for use within Dundee City
- 2.4 Notes the benefits of the Protocol in protecting vulnerable individuals who may be at risk from abuse, mistreatment or neglect thereby improving the protection and the quality of life of vulnerable adults in the City.

3.0 FINANCIAL IMPLICATIONS

3.1 There are no financial implications arising directly from this report.

4.0 LOCAL AGENDA 21 IMPLICATIONS

4.1 The principles, which underpin this Protocol, are aimed at improving the quality of joint working between the Council, Perth and Kinross and Angus Councils, NHS Tayside and Tayside Police. The impact of effective integrated working will improve the protection of and the quality of life of vulnerable adults in the City.

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 The development and proposed implementation of this inter-agency Protocol takes account of the rights and needs of vulnerable adults, including those from minority ethnic communities and those with disabilities. The Protocol suggests that staff involved in working with vulnerable adults should promote the principles defined in national care standards: dignity, privacy, choice, safety, realising potential, equality and diversity.

6.0 BACKGROUND

6.1 Most adults and older people with mental illness, physical or learning disabilities or other special needs manage to live their lives comfortably and securely either independently or with assistance from caring relatives, friends, neighbours, professionals or volunteers. However, for a small number, dependence on someone may lead to abuse, mistreatment or neglect.

There is growing public awareness of abuse as a concern, evidenced by media coverage of individual incidents and public inquiries dealing with instances of abuse.

Local demographic factors indicate a growth in the population of older people particularly people of 90 years and over. This means that the population of potentially vulnerable people will continue to grow in the coming decades.

The development of services for adults has created a more enlightened and empowering climate which offers users choice and opportunities to participate in making decisions about their own lives. This also implies a dispersal of care within the community, increased reliance on informal carers and an expansion of the scope of responsibility of formal carers. This in itself may also involve an increase in risk, as the venues in which people are cared for become more varied.

Safeguarding vulnerable adults is clearly a high priority for the Government. However, the key to ensuring vulnerable individuals are appropriately supported and cared for lies with the empowerment of the individual and their carers, a knowledge of what can be expected, a knowledge of their own individual rights and access to a responsive complaints and advocacy service. The introduction and implementation of National Care Standards, sound recruitment practices, and the provision of appropriate training for those involved in care services are all important measures. They will help to ensure that workers are trained, supported and enabled to work together to create a positive and empowering ethos within care settings.

This Protocol acknowledges the complexities which surround adult abuse, mistreatment or neglect. It is not possible to cover all eventualities but it is hoped that the guidance within will prove useful to those working in the field of health and social care as they work to protect vulnerable adults. Local authorities and agencies will have their own operating procedures to which staff will be expected to refer for localised and detailed guidance. Staff members will also be expected to comply with their professional Codes of Conduct/ Practice.

6.2 Main Text

All agencies have an essential role to play in ensuring that vulnerable adults are protected from abuse, mistreatment or neglect. Agencies have a responsibility to assess the risk of abuse, mistreatment or neglect and work together alongside the vulnerable adult and his or her family members and care givers, to identify actual abuse and reduce the risk of harm. To achieve this requires a clear understanding of the roles and responsibilities of the organisations and agencies involved directly and indirectly in caring for vulnerable adults. Good communication, cooperation and liaison between agencies are essential, as are clear procedures which promote the interests of vulnerable adults, their families and caregivers.

Section 12 A of the Social Work (Scotland) Act 1968 and the NHS and Community Care Act 1990 gives legislative power to the local authority to become responsible, in collaboration with other agencies, for the assessment of the needs of an individual for whom they are likely to provide a community care service. In most cases the Social Work Service will be the lead agency, receiving referrals and determining the action to be taken in response to actual or suspected abuse, mistreatment or neglect of a vulnerable adult.

Signatories to this Protocol have agreed that the lead co-ordinating role in relation to individual cases is taken by senior staff in the social work services of the relevant local authority.

This Protocol will be used throughout Tayside to guide and inform local inter-agency procedures and practice concerning the protection of vulnerable adults.

It provides a framework which will:

- enable workers to recognise when vulnerable people may be at risk of abuse, mistreatment or neglect;
- explain how assistance and services can be provided;
- clarify the current legal position;
- ensure the use of appropriate channels for assessment of need and investigation; and,
- promote positive collaborative working.

It acknowledges the complexity involved in the protection of vulnerable people and is underpinned by the need to respect each adult's right to make decisions about issues such as where and with whom they live.

It has been developed through a consultation process by lead agencies within Tayside and will continue to be reviewed and consulted on to ensure that it remains relevant and instrumental in promoting effective working.

6.3 Agencies Involved in the Production of the Protocol

The agencies that have been involved in the preparation of this protocol are:

Tayside Police
NHS Tayside
Angus Council
Dundee City Council
Perth and Kinross Council

Those involved have drawn on the Lothian and Borders Joint Guidelines: *Protecting Vulnerable Adults: Ensuring rights and preventing abuse (Issue Number One- 2003)* and the *SWSI Report of the Inspection of Scottish Borders Council Social Work Services for People Affected by Learning Disabilities* (April, 2004) in its preparation.

6.4 The Protocol

This Multi-Agency Protocol applies to:

- All vulnerable people aged 16 and over
- All relevant health, social care, community and criminal justice agencies
- All forms of abuse as defined within this protocol.

It represents the commitment of agencies within Tayside:

- to unite in the prevention of and protection from abuse, mistreatment and neglect of vulnerable people aged 16 years and over;
- to ensure situations of actual or suspected abuse, exploitation, mistreatment and neglect are identified, recorded and investigated; and
- to provide services and support for vulnerable adults who are experiencing abuse.

Agencies will have operating procedures, guidelines or instructions which:

- confirm for staff what local action should be taken when abuse, mistreatment or neglect is suspected or has taken place; and,
- clarify the roles and responsibilities of all those involved.

The Step by Step Guide in the Protocol will inform what action is taken. However specific details may vary according to local context and need. Staff who are involved in suspected or actual cases of abuse, mistreatment or neglect will be expected to consult and comply with their local agency procedures, guidelines or instructions.

Although the actions described in this Protocol can be used when a particular event or incident raises concerns, its contents are equally relevant in cases where concerns have been cumulative over time and it is decided that intervention is necessary.

If approved by Dundee City Council, the Protocol will be subject to approval processes by NHS Tayside and Tayside Police prior to launch.

7.0 CONSULTATION

- 7.1 The Protocol has been developed by a multi-agency Tayside wide group chaired by the Strategy and Performance Service Manager of Dundee City Council Social Work Department.
- 7.2 The Chief Executive, the Depute Chief Executive (Finance) and Depute Chief Executive (Support Services) and partners on Angus, Perth and Kinross Councils, NHS Tayside and Tayside Police have been consulted in the preparation of this report on Protocol.

8.0 BACKGROUND PAPERS

None.

Alan G Baird
Director of Social Work

Date: 11 February 2005