

REPORT TO: POLICY & RESOURCES COMMITTEE - 28 JUNE 2010

REPORT ON: ADULT SUPPORT AND PROTECTION COMMITTEE YEAR ONE REPORT AND BUSINESS PLAN 2009-2010

REPORT BY: DIRECTOR OF SOCIAL WORK

REPORT NO: 353-2010

1.0 PURPOSE OF REPORT

- 1.1. The purpose of this report is to advise the Social Work and Health Committee (a) of the Year One Report and Business Plan of the Adult Support and Protection Committee (the Committee); (b) the progress that has been made towards the objectives outlined in the Adult Support and Protection Committee Business Plan 2009/10; and (c) that from October 2010 the Committee will prepare a bi-annual convenor's report for approval and distribution in accordance with the intentions of the Adult Support and Protection (Scotland) Act 2007. A copy of the strategy is attached.

2.0 RECOMMENDATIONS

It is recommended that the Social Work Committee:-

- 2.1 Approve the Year 1 Report of the Adult Support and Protection Committee and
- 2.2 Note and approve the progress that has been made towards meeting the objectives of the Dundee Adult Support and Protection Committee Business Plan 2009/10 as outlined in para 4.1.4.1 to 4.1.4.3 below.

3.0 FINANCIAL IMPLICATIONS

The costs of the Adult Protection Committee have been met by specific Scottish Government Grant. Dundee City Council received £219,115 in 2008/09 and £438,000 in 2009/10.

4.0 MAIN TEXT

4.1 Adult Support and Protection Year One Report and Business Plan 2009 - 2010

- 4.1.1 Professor James Hogg, Convenor of the Adult Support and Protection Committee, commissioned a Year 1 report and business plan for 2009/10 to guide the work of the Committee. The year 1 report anticipates the first bi-annual convenor's report which will be required for October 2010.
- 4.1.2 The report sets out the progress that has been made in establishing the committee, structures and processes. It also explains what has been done to ensure through these means that protection arrangements are progressing in line with public expectations, individual needs and statutory duties.
- 4.1.3 The Business Plan 2009/10 is the work plan for the committee. A summary of progress made follows below.

4.1.4.1 Public Information

- Adult Support and Protection Committees are required to develop, produce and disseminate information to the public about protecting adults in need of support and protection to increase awareness within communities. To this end a Communication/Public Information Group has been established.
- A public information leaflet has been developed to be released shortly.
- A 'Protecting People' booklet (in plain English) has been produced in consultation with the Local Community Planning Partnerships and is ready for publication.
- Dundee is hosting a Tayside Multi Agency Adult Protection Conference at the Bonar Hall in November this year which will involve approximately 150 delegates across the partnership. The conference will have a particular focus on collaboration.
- Publicity and activities were co-ordinated in Dundee to complement the National Act Against Harm Campaign.

4.1.4.2 Continuous Improvement

- Operational Procedures for multi-agency working are in place and have been distributed.
- The Adult Support and Protection Team have now been appointed.
- The Tayside Multi-Agency Protocol has been reviewed and up-dated and will be published and distributed shortly
- The Committee has set up a review group to review comprehensively individuals and groups of individuals who fall within the terms of the Adult Support and Protection Act.
- Work has been progressed towards the establishment of a set of standards/quality indicators. Professor Hogg, Chair of the Committee, was commissioned by the Scottish Government to produce a 'System of Self-Evaluation of Adult Support and Protection Activity in Scotland'. This was presented to a National event at the end of April. A pilot of this self evaluation tool will be carried out over the summer on a selected number of cases with a view to implementation from October of this year.
- Activity information about adults who may be in need of support and protection is being collated and reported to the Committee.
- A 'Multi-agency protocol for the support of employees affected by critical incidents' has been developed.
- A Learning and Workplace Development Sub-Group has been established to progress the planning, implementation and evaluation of single and multi-agency learning and development activities in relation to adult protection.

4.1.4.3 Strategic Planning, Communication and Co-operation

- The convenor of the committee and Lead Officer is a member of the Chief Officer Group (Protection)
- Cross Tayside collaboration has been established with Dundee participating in the Tayside-wide Adult Support and Protection Steering Group.

In conclusion, the Convenor of the Committee has a programme of work in progress to meet the requirements of the Adult Support and Protection (Scotland) Act 2007.

5.0 POLICY IMPLICATIONS

This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

There are no major issues.

6.0 CONSULTATIONS

The Chief Executive, Depute Chief Executive (Support Services) and Director of Finance have been consulted in preparation of this report.

7.0 BACKGROUND PAPERS

None.

Alan Baird,
Director of Social Work

DATE: 4 June 2010

Report No. COG10/12

**City of Dundee Adult Support & Protection
Committee**

October 2008-September 2009

November 2009

Contents

Summary	4
1. Background to City of Dundee Adult Support & Protection Committee	5
1.1 <i>Establishing the committee</i>	5
1.2 <i>Remit of the committee</i>	6
1.3 <i>Committee membership and sub-groups</i>	7
1.4 <i>Activity to date</i>	9
1.5 <i>The Chief Officers Group (Care & Protection)</i>	9
2. Funding Arrangement and Staff Appointment	10
3. Development of operational procedures	11
4. Activity, special cases and evaluation	11
4.1 <i>Recording adult protection activity</i>	11
4.2 <i>Significant Case Reviews</i>	13
4.3 <i>Audit and evaluation of adult protection effectiveness</i>	14
4.4 <i>Identification of high risk groups and situations</i>	15
4.5 <i>Data sharing</i>	15
5. Training and staff development	16
5.1 <i>Background</i>	16
5.2 <i>Progress to date and future considerations: The Training Framework</i>	16
5.2.1 Level 1: Governance	17
5.2.2 Level 2: Staff and managers in all relevant sectors	18
5.2.2.1 Briefing presentations and workshops	18
5.2.2.2 Future Delivery Requirements at level 2	19
5.2.3 Level 3: Detailed knowledge and understanding	20
5.2.3.1 Training for trainers	22
5.2.3.2 Case study workshops	22
5.2.3.3 The support and protection of adults at risk for council officers	22
5.2.3.4 Adult support and protection investigative interviewing training: Pilot	22
5.2.3.5 Chairing and managing case conferences	22
5.2.3.6 Ethical case recording	23
5.2.3.7 Signs of safety	23
5.2.3.8 Postgraduate certificate in adult support and protection	23
5.3 <i>Future developments</i>	23

6.	Communication strategy	23
7.	Local, regional and national collaboration	25
7.1	<i>Child Protection Services in Dundee</i>	25
7.2	<i>Cross Tayside collaboration</i>	25
7.3	<i>National communication across Adult Support & Protection Committees</i>	26
8.	Dundee Adult Support & Protection Committee Business/Strategy Plan (2009-2011)	26
9.	Retrospective and future developments	26
Appendix 1	Appendix 1: Principles and definition of adult at risk under the <i>Adult Support & Protection (Scotland) Act 2007</i>	29
Appendix 2	Functions and membership of Adult Protection Committees	32
Appendix 3	Adult Protection Unit posts	34
Appendix 4	Adult Protection Budget 2009-2010	35
Appendix 5	City of Dundee Draft Business & Strategy Plan 2010-2011	36

Summary

During the first year of the work of the City of Dundee Adult Support and Protection Committee, appreciable progress has been made in establishing the committee, structures and processes. This will ensure that allegations of harm to individuals living in Dundee are responded to quickly and effectively. Multiagency representation on the committee is in place in line with the requirements of the *Adult Support & Protection (Scotland) Act 2007*, together with representation of some key stakeholders (**sections 1.1-1.4**). Reporting to the Chief Officers Group (Care and Protection) has begun and actions required by the committee built into the programme of work for year 2 (**section 1.5**). Scottish Government funding was made available for both the work of the committee and preliminary appointments of adult protection officers and staff (**section 2**). Operating Procedures for responding to allegation of harm to individuals at risk have been completed, together with a comprehensive system of recording (**section 3**). Recording of adult protection activity is well developed (**section 4.1**). Criteria for identifying significant cases are being developed, and a process of review of such cases by the committee put in place (**section 4.2**). The Adult Support and Protection Committee will collaborate in the Scottish Government's national project to develop a comprehensive audit and self-evaluation process (**section 4.3**). Assessment of individuals at risk of harm is being undertaken and will continue in this area. It is recognised that individuals may be referred as a result of increased public awareness. The wider assessment of the risk of harm to individuals and groups in the city will form part of the coming year's work (**section 4.4**). A comprehensive programme of staff development and training has been undertaken in line with the Scottish Government Implementation Group's training framework (**section 5**). A communication strategy aimed at both the wider public and specific identified groups in Dundee has been initiated, co-ordinated with the Scottish Government's *Act against harm* national campaign (**section 6**). Wider collaboration with respect to children's services (**section 7.1**), cross-Tayside adult protection co-ordination (**section 7.2**) and work nationally with Adult Protection Committees have all been established (**section 7.3**).

The report concludes with the presentation of the committee's draft business/strategy plan (**section 8 and Appendix 5**) together with a consideration of what has been achieved and the work to be undertaken in the coming two years (**section 9**).

1. Background to City of Dundee Adult Support & Protection Committee

1.1. Establishing the committee

In recent decades awareness has increased that a wide range of citizens are at risk of harm, abuse, mistreatment and/or neglect, and indeed, that many have been subjected to physical, sexual, emotional, psychological and financial harm.. Typically individuals are subjected to a combination of these types of harm, and often experience it serially at the hands of different individuals and in different settings. Traditionally such people have been considered “vulnerable adults”, and research has focussed on groups of people such as older individuals or those with disability. It is now acknowledged that by no means all who fall into such groups are at risk of harm and are unable to safeguard themselves, but also that the range of people who are at risk is much wider than those in the traditional groups. Individuals who are asylum seekers, drug mis-users or homeless are among others also at risk of harm.

In response to this situation, in 1997 the Scottish Law Commission published recommendations and a draft Bill in respect of 'vulnerable adults'. This led in due course and after extensive consultation to the *Adult Support and Protection (Scotland) Act 2007*. The Act, which was implemented in October 2008 makes new provisions intended to protect those adults who are unable to safeguard their own interests. Among these are those affected by disability, mental disorder, illness or physical or mental infirmity, and who are at risk of harm or self harm, including neglect. In addition, the Act placed a statutory duty on the relevant statutory agencies to co-operate in relation to adult protection cases and indeed policy. A guiding principle of the Act is that any intervention must provide benefit to the adult and that this benefit could not have reasonably be achieved without intervention, ensuring that any such intervention is the least restrictive option to the adult's freedom. The principles underpinning the Act and the definition of who is at risk and what constituted harm appear in Appendix 1.

Sections 42 to 47 of the Act also created an obligation on councils to establish multi-agency Adult Protection Committees (APCs) and cover issues of membership, procedures, information sharing and reporting. These are presented in Appendix 2. The Act provides a framework for how APCs should operate with each committee evolving its own procedures to reflect local arrangements. The effectiveness of the work of the committees will be monitored by ministers through a biennial report.

In response to this requirement of the Act, in April 2007 Dundee City Council Director of Social Work recommended to the Council's Policy and Resources Committee the setting up of an Adult Protection Committee and participation

in the Tayside Adult Protection Steering Group¹. The policy framework was reported to the committee in October of that year².

1.2 Remit of the committee

The functions of the committee are determined by the relevant sections of the Adult Support and Protection (Scotland) Act 2007, developed in response to local circumstances and the requirements of the Chief Officers Group. The relevant section of this report summarising progress in the first year of the committee's work is given below in bold type at the end of each remit point. The principal functions are to:

- 1.2.1 develop and introduce arrangements and operating procedures for multiagency working and design policies and strategies for protecting adults at risk of harm, keeping these under review (**section 3**)
- 1.2.2 develop audit and evaluation procedures to determine that these arrangements are effective, including the identification and consideration of special cases (**section 4**)
- 1.2.3 develop and introduce arrangements to monitor, review, disseminate and report activity in relation to the protection of adults at risk with respect to (**section 4**):
 - 1.2.3.1 the number of inquiries, investigations, case and adult protection conferences
 - 1.2.3.2 the number of adult protection referrals by age, client group, gender and other relevant characteristics
 - 1.2.3.3 types of harm, abuse, mistreatment and neglect
 - 1.2.3.4 agency involvement
 - 1.2.3.5 outcome of referrals with respect to the types of response made
- 1.2.4 undertake training and staff development with identified professional and paid staff (**section 5**)
- 1.2.4 develop a communication strategy and increase awareness and involvement of the wider community in adult support and protection (**section 6**)

¹ Dundee City Council (16 April 2007) Report no. 208-2007 by the Director of Social Work on the Dundee Adult Protection Committee to the Policy & Resources Committee.

² Dundee City Council (22 October 2007) Report no. ***-2007 by the Director of Social Work on the Dundee Adult Protection Committee to the Policy & Resources Committee.

1.2.6 create effective and joined up working with relevant local agencies in related protection fields, e.g. child protection, MAPPA, Tayside Adult Protection Committees and multiagency working (**section 7.1 & 7.2**)

1.2.6 develop policy and practice through consideration of national and international developments in the field of adult support and protection (**section 7.3**)

1.3 Committee membership and sub-groups

In accordance with the recommendations the committee was subsequently advised that following advertising for the post Professor James Hogg had been appointed independent convenor of the Adult Protection Committee. (In line with the Act, the committee subsequently amended the title to the Adult Support and Protection Committee).

At the end of year 1 of the committee's operation membership consists of representatives of the required statutory agencies together with community representatives of some of the groups in which individuals at risk of harm will be found. Figure 1 shows composition of the committee.

Figure 1: Membership of the Adult Support and Protection Committee (September 2009).

Committee Member	Agency/Representation
Laura Bannerman	Head of service, Community Care, Social Work Department
Gordon Birrell	Housing Strategy Manager, Housing Department
Lynne Cameron	Community Care, Social Work Department
Jan Goodall	Older People's Representative
Dr David Griffiths	Procurator Fiscal, Procurator Fiscal's Officer
Beth Hamilton	Head of Integrated Mental Health Services, Carseview Centre, NHS Tayside
Professor James Hogg	Independent Convener
John McDonald	Team Leader, Solicitor, Legal Division, DCC
Detective Chief Inspector Shaun McKillop	Tayside Police & Children and Young Person's Protection Committee
Jane Martin	Manager, Children's Services and Criminal Justice, Social Work Department
Arlene Mitchell	Community Care, Social Work Department
Carina Mitchell	Co-ordinator, Advocating Together/SAY Group

Kathryn Sharp	Dundee Violence Against Women Partnership
Andy Sloan	Team Manager, Dundee, Care Commission
Donna Sorrie	Advocating Together, Learning Disability Service Users Representative
Stewart Watt	Service Manager, Community Care, Social Work Department

The committee is supported by Willie Waddell (Committee Services Officer, Support Services Department, Dundee City Council).

The Mental Welfare Commission, the Office of the Public Guardian and the Procurator Fiscal's Office were all approached to nominate a committee member. All indicated that they were prepared to attend for specific agenda items if required. The procurator fiscal attended one meeting to describe the work of the office and its relation to adult protection procedures.

Discussions are on-going with the Princess Royal Carers Centre and Dundee Voluntary Action mental health groups with respect to representation respectively of family carers and mental health survivors on the committee.

With respect to such representation, there is an on-going discussion on the responsibilities of such members to their various constituencies and the ways in which true representation may be achieved.

Multiagency sub-groups of the committee have been established to undertake detailed work on specific issues, notably:

Implementation sub-group: Remit: to develop effective operational procedures with respect to responding to allegations of harm (see section 3); undertake assessments with respect to individuals and groups at risk of harm (section 3); establish audit and evaluation strategies to assess the effectiveness of adult support and protection policy and strategy as initiated by the Adult Support and Protection Committee (See **section 4**). The sub-group members are:

Committee Member	Agency/Representation
Val Finlay	Communities and Leisure, DCC
Lynne Gurmin	NHS Tayside
Brian Kelly	NHS Tayside
Mike Hendry	Strategy and Planning Section, DCC
Dawn Kirk	Team Manager, SWD
Dave McCaw	Senior Officer, Mental Health DCC
John McDonald	Legal Services DCC
John McNally	Tayside Police
Alastair Reid	Tayside Police

Strategy sub-group: Remit: to develop a strategic/business plan to guide the work of the Adult Support and Protection Committee from 2009-2011 (see **section 1.5**). The sub-group members are:

Learning and Development sub-group: Remit: to plan and develop single and multi-agency training and workplace learning events with respect to the support and protection of adults of risk of harm (see **section 5**). The sub-group membership is to be determined and will be chaired by Frances Grieg, Dundee City Council.

Communication sub-group: Remit: to increase awareness and involvement of the local community in adult protection in Dundee and increase the visibility of the Adult Support and Protection Committee as a means to this end (see **section 6**). The sub-group members are:

Committee Member	Agency/Representation
Laura Bannerman	Head of Service, Community Care
Pete Bonar	Head of Design, Public Relations, Dundee City Council
James Hogg	Independent Convenor Adult Support and Protection Committee
George Ireland	Public Information Officer, Dundee City Council
Carina Mitchell	Co-ordinator, Advocating Together/SAY Group
Donna Sorrie	Advocating Together, learning disability service Users Representative
Lewis Thomson	Public Relations, Education, Dundee City Council

1.4 Activity to date

Six meetings have been held between October 2008 – September 2009. The committee has progressed aspects of the remit noted in section 1.2. where the relevant section of the report dealing with specific aspects of the remit are indicated.

1.5 The Chief Officer Group (Care & Protection)

The independent convenor of the Adult Support and Protection Committee is accountable to the Chief Officer Group (COG), and the committee's activity has been reported to the group on one occasion during the first year. The group's web-based newsletter (Issue 1 2009) has set out its expectations and requirements for the Adult Support and Protection Committee. These are presented here (**sections 1.5.1-1.5.9**) together with the relevant section of this report where each is addressed. The points raised by the COG are as follows, that:

- 1.5.1 a business plan be incorporated into the first report due out in December 2009 (**Section 8 & Appendix 5**)

- 1.5.2 a communications strategy be developed with attention given to the establishment of one telephone number being advertised as the contact point for the expression of concerns for an adult (**section 6**)
- 1.5.3 a framework for self-evaluation of services be established and implemented (**section 4**)
- 1.5.4 the Adult Support and Protection Committee satisfy itself as to the existence of relevant policies and procedures and that a system for updating as required is in place (**section 3**)
- 1.5.5 the outcome of an evaluation of any special cases, including the learning points identified, be reported to the COG (**section 1.2.3.6**)
- 1.5.6 the COG receive reports of any issues of concern regarding information sharing
- 1.5.7 the ASPC report on any significant resource issues along with recommendations on action required
- 1.5.8 the ASPC have in place a system for identifying high risk areas/groups and report these to the COG (**section 4**)
- 1.5.9 the ASPC be aware of which services are vulnerable or are facing particular pressures and are aware of that the needs have been identified

With respect to points 1.5.5, 1.5.7 and 1.5.9 the Independent Convenor has confirmed that he is fully committed to drawing these matters to the COG as necessary.

2. Funding Arrangement and Staff Appointment

The Scottish Government made additional resources available to local authorities, police and health boards across Scotland to implement the provisions of the Adult Support and Protection (Scotland) Act 2007. These resources were provided to cover:

- 2.1 the cost of the recruitment of an independent chair for the Adult Protection Committee and the running costs associated with the Adult Protection Committee ;
- 2.2 the running costs on an Adult Protection Unit and the set up costs associated with the establishment of an Adult Protection Unit: and
- 2.3 additional frontline staffing.

Resources were distributed to local authorities on the basis of population with an assumed fixed cost for the chair of the Adult Protection Committee. Dundee City Council received £219,115 for 2008/09 and £438,000 for financial year 2009/10.

Dundee has allocated this resource towards

- 2.4 the recruitment of the chair of the Adult Protection Committee
- 2.5 the establishment of an Adult Protection Unit made up of an Adult Protection and review officer, senior officer (Adult Support and Protection), administrative assistant and three clerical officers

- 2.6 training and staff development
- 2.7 additional frontline staff
- 2.8 public communication

Recruitment to the Adult Protection Unit is partially completed. The adult protection review officer was appointed in August 2008, the clerical team was also appointed in September 2008. The senior officer adult protection and administrative assistant posts have been advertised and interviewed for, but appointment had not been successfully completed at the time of completion of this report. The appointment will be re-advertised in January 2010.

Additional frontline staff was recruited during 2008/09 to undertake reviews and risk assessment. The priority area of work has been older people living in residential settings.

A summary outline of the purpose of the adult protection unit posts is attached as Appendix 1 and a summary of distribution of the adult protection budget is attached as Appendix 2 to this report.

3. Development of operational procedures

Detailed multiagency operational procedures have been developed by the Implementation Sub-group in collaboration with colleagues experienced in child protection. These have been drafted in the light of *Tayside Adult Protection Group's* multiagency guidelines and those of Perth & Kinross Council. The procedures cover:

The various phases are dove-tailed with adult protection recording forms the use of which are clearly specified. The operating procedures will be subjected to further review by the Dundee Adult Support and Protection Committee and in the light of on-going audit and evaluation described in **section 4** of the present report.

4. Activity, special cases and evaluation

4.1 *Recording adult protection activity*

Since 2006 and the implementation of multi agency procedures for adult support and protection in Dundee, activity information in this area has been gathered. A database was developed to ensure that key information regarding performance in this area could begin to be logged and analysed. It was agreed that a data input sheet would be completed by team managers / service managers at various stages of a case being subject to adult support and protection concerns. Until now the database has been maintained by an administrative assistant working within the Community Care Management Team. The following information has been extracted from the database in respect of concerns received from October 2008 and September 2009. The database holds further information i.e. more detailed information regarding, for example, outcomes of meetings at different stages of the process to help track progress. The system has been discussed by the Adult Support and Protection Committee and further areas of development have been agreed.

Table 1: Number of adult protection case concerns and procedures

No of Individuals	49	(October 2008 to September 2009)
Adult Protection Concerns	24	(12 are now closed)
Adult Protection Procedures	25	(8 are now closed)

The total number of concerns of an adult support and protection nature total 49, of these 24 related to concerns which were either discussed and no further action in relation to adult support and protection agreed or concluded at the stage of an Initial Referral Discussion, and 25 involved use of the procedures beyond an Initial Referral Discussion.

Table 2 indicates that referrals received over the 12 months have been consistent in that referrals have been received each month. However, the range of referrals per month is from 1 (in Nov 08) to 7 (July 09). The 49 concerns in total equate to an overall average referral rate of approximately 4 per month.

Table 2: Monthly adult protection referrals October 2008-September 2009

08			09									
Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Total
4	1	6	4	3	6	2	3	3	7	5	5	49

As may be seen from Table 3, over the period 2006-2009 there has been a consistent increase in recorded referrals since recording began in 2006.

Table 3: Referrals received 2006-2009

2006	2007	2008	2009	TOTAL
11	35	48	49	143

The current living arrangements of individuals referred because of adult protection concerns are shown in Table 4. It is envisaged that future activity information gathering will include more specific details re: location of concern. This will allow further analysis, e.g. where concerns arise related to institutional abuse.

Table 4: Living arrangements of individuals referred for adult protection concerns

Tenancy	Tenancy + HS	Hospital	Sheltered Accommodation	Care Home	Family Home	Homeless	Total
14	12	1	4	8	9	1	49

The areas of harm raised as concerns currently are presented in Table 5 and show five main classifications as well as combinations of these i.e. E/P relates to concerns where both emotional and physical harm / risk factors were prevalent. The majority of concerns raised within the 12 month period i.e. 31 out of 49, relate to physical, financial or sexual risk or harm / exploitation. A pattern is developing where the majority of concerns relating to older people are related to financial or physical harm / risk. In terms of adults with learning disabilities the number of concerns of a sexual nature has been consistently higher in number and proportionately across service user groups. 'Other' areas of concern can relate to situations where individuals can be deemed 'adults at risk' but where the concern related to the person's own behaviour / actions putting others at risk. Further development in the area of risk

management processes (often in place alongside or as part of Adult protection processes) will be considered as part of procedural and practice discussions to ensure a consistent approach in this area is agreed.

Table 5: Classification of adult protection concerns*

E	P	N	F	S	E/P	N/P	P/F	P/S	N/F	Other	Total
2	10	1	14	7	4	1	2	3	2	3	49

* **Key:** Emotional (E), Physical (P), Neglect (N), Financial (F), Sexual (S)

There have been concerns raised in respect on individuals across all service user categories. For the period under consideration these are shown in Table 6. Generally it is thought that this relates to procedural development, general awareness raising across professions, the legislation coming into force in 2008 (and awareness raising regarding this). We can also attribute an increased referral rate of older people in part to the development of a review team and the resulting increase in involvement with older people living in care homes. The number of concerns in respect of adults with a learning disability remains disproportionately high given the overall number of known adults with a learning disability in comparison to the same for other service user categories. (Due to the number of concerns raised in respect of adults with a learning disability since 2006, (50 - 60) and audit of all of these cases was undertaken in 2008 to examine practices / processes against the requirements of Adult Support and Protection legislation. In some cases this required some actions being agreed, for example where processes might have been started well but evidence was not strong enough re: conclusions / outcomes.

Table 6: Classification of referrals (mental health, older people, learning disability, physical disability, drug and alcohol)

Mental health	Older People	Learning Disability	Physical disability	Drug & Alcohol	Total
6	16	20	4	3	49

In the near future the administration relating to activity and analysis of the same will be led by the lead officer, Adult Support and Protection, and her team. This will allow for continuous improvement in the areas of data collection and analysis and will further strengthen our ability to appropriately protect and support adults at risk in Dundee. Further information needs for the future have been discussed within the Adult Support and Protection Committee and will be actioned over the coming months.

4.2 Significant Case Reviews

Currently, the Adult Protection Committee does not have a significant case review process but is committed to establishing procedures and guidelines which replicate the model as described in the "*Interim Guidance for Child Protection Committees for Conducting a Significant Case Review*" (Scottish Government, March 2007). As outlined in these guidelines, the objectives of establishing significant case review procedure include: (a) establishing whether there are lessons to be learned about how better to protect adults; (b) making recommendations for action; (c) considering how such recommendations will be implemented; (d) addressing the requirement to be

accountable, both at the level of the agency/agencies and the occupational groups involved, and, (e) increasing public confidence in public services.

The Adult Protection Committee will have the overall responsibility for the formal review of a significant case, and will undertake this role on behalf of, and will report with outcomes and recommendations to, the Chief Officers Group.

The Adult Protection Committee will focus on establishing: (a) criteria for identifying significant factors and events which need to be reviewed; (b) a process for reporting any case which appears to meet the designated criteria to the Adult Protection Committee through an Initial Case Review format, with associated timescales and framework for collating and recording information; (c) a decision making framework to inform the committee about when it should proceed to a significant case review or consider other forms of action; (d) how authority will be delegated within the Adult Protection Committee Membership with regard to accepting notification of Initial Case Reviews, and/or instruct any further information gathering, and/or make a decision to proceed to a significant case review, and (e) a protocol for the management of the significant case review process including developing the remit of the significant case review, identifying the membership of the Commissioning Review Team, and outlining a framework for managing all aspects of the process.

The development of the Significant Case Review Procedure will be undertaken on the basis of a partnership approach between all the agencies and groups represented on the Adult Protection Committee, and with reference to the procedures being developed in Perth and Kinross and Angus as part of a pan-Tayside approach.

4.3 Audit and evaluation of adult protection effectiveness

Establishing a robust and effective approach to evaluation of Dundee's adult protection policies and procedures is one of the key tasks of the coming year. The way in which this is to be achieved is closely bound up with the national initiative supported by the Scottish Government to developing a common approach to audit and evaluation³.

The audit process is at present being developed by Professor Hogg ((Universities of Dundee & St Andrews) in the light of international practice with respect to audit, notably the *European Foundation of Quality Management*⁴ quality system which in turn has informed the Social Work Inspection Agency's *Performance Inspection Model*⁵. The HMIE approach to auditing children's services is also informing this initiative⁶. The work is being

³ Hogg, J. (2009) The Development of an Audit Process and Template for Cases Involving Adult Support & Protection. Edinburgh: Scottish Government.

⁴ European Foundation of Quality Management (2008) EFQM Excellent Model: Public and voluntary sector version. Brussels: EFQM.

⁵ Social Work Inspectorate (2009) Guide to Supported Self-evaluation. Edinburgh: Social work Inspection Agency.

⁶ HMIE ***

undertaken collaboratively with a majority of Scottish local authorities and Adult Protection Committees. It is intended that multiagency partners in Dundee and Tayside will be actively involved in this development.

The outcome for Dundee will be the availability of an audit approach will permit both documentation of individual cases and overall self-evaluation of adult protection procedures on Dundee. The target date for completion of this work is June 2010.

4.4 Identification of high risk groups and situations

As indicated in the business plan (**section 8 & Appendix 5**), this is a key area for development by the implementation sub-group in Year 2. The issue has already been approached as part of the training programme through the *Signs of safety* initiative which is concerned with a protection assessment and planning protocol and comprehensive risk assessment, incorporating both danger and safety and the perspectives of both professional and service recipients.

4.5 Data sharing

Data sharing protocols are already in place in Dundee-Tayside but have yet to be reviewed by the committee in the light of multiagency working since implementation of the Act. Review will form part of audit and self-evaluation (see **section 4.3**).

The Scottish Government commissioned the National Practice Forum (part of the Scottish Government e-care section) to review approaches to data sharing in adult protection cases⁷. A report suggesting and recommending models of data sharing is available and a subsequent working party (of which the Dundee independent convenor is a member) has reviewed requirements and is making recommendation to the Scottish Government group implementing the Act. The Dundee Adult Support and Protection Committee will be kept informed of these national developments with respect to data sharing approaches.

⁷ National Practice Forum (2009) ***

5. Training and staff development

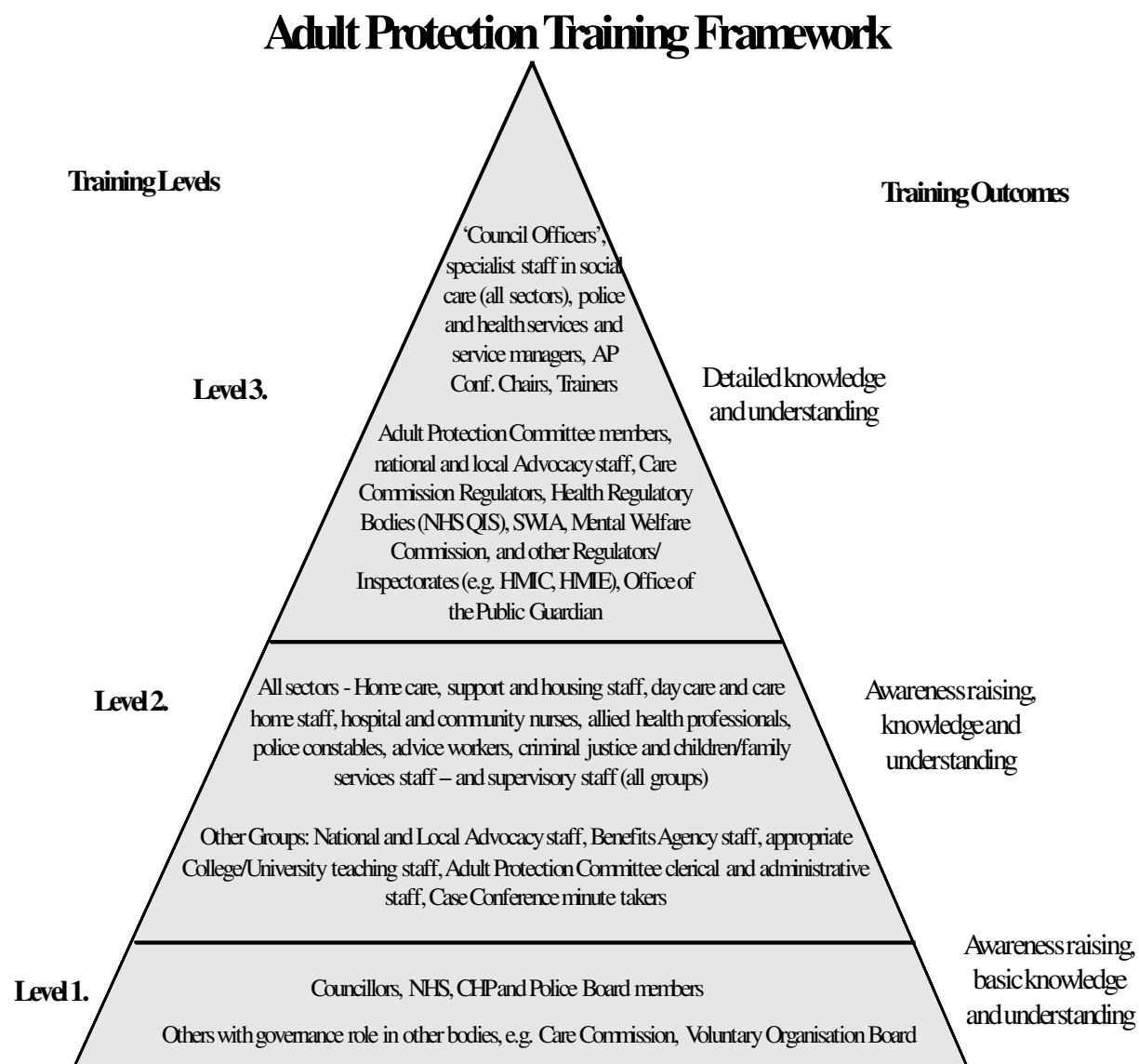
5.1 Background

Since the introduction of the Adult Support and Protection (Scotland) Act 2007, there has been much activity nationally and locally to consider what the learning and development needs of the workforce will be and what the implications are of the legislation for both agencies and individuals. There has been significant emphasis on general awareness-raising about the legislation, mainly on a single agency basis which is the requirement of the Act. Multiagency learning and development will take considerable joint planning, co-ordination, development and delivery and therefore will require a model of multiagency learning and training to be developed. There has been some progress joining up thinking on a Tayside-wide basis between the three local authorities and Tayside Police but this will need to be further developed strategically, if we are to support and protect adults at risk. Support will also be required for any subsequent practice needs which arise as the Act is implemented and as more evidence emerges in relation to service users' experiences and practice developments.

5.2 Progress to date and future considerations: The Training Framework

The Scottish Government Implementation Group was constituted to help to steer the implementation of the *Adult Support & Protection (Scotland) Act 2007*. A key function was to develop a national training strategy and provide a framework and training materials to achieve this aim. Figure 2 shows this framework which has been adopted by the Dundee Adult Support and Protection Committee.

Figure 3: Three-level training framework to support implementation of the *Adult Support & Protection (Scotland) Act 2007*



All learning and development in Dundee will be planned to meet the learning outcomes of this training framework and be underpinned by the main areas of the key capabilities, i.e.: (a) knowledge and understanding; (b) effective Communication; (c) values and ethical practice, and (d) professional confidence and competence.

5.2.1 Level 1: Governance

Briefing presentations are required for Police Boards, Councillors, the Social Work Department Directorate and the Adult Support and Protection Committee. This is the responsibility of the individual agencies and is delivered on a single agency basis. Tayside Police, NHS Tayside and Dundee City Council have already done this. There may be some gaps in the private and voluntary sector but this is difficult to quantify. In Dundee City Council the

contracts section has cascaded briefing information to the care and support providers who provide services on our behalf.

Figure 3 presents target groups, training events and timetables for Level 1 activity.

Figure 3: Training activity relevant to Level 1

Target Group	Training/Leaning Event	completed	Date
Elected members	Briefing presentations ASP 2007 (Scotland) Act		2008
Social Work Directorate			2008
ASP Committee			2009

5.2.2 Level 2: Staff and managers in all relevant sectors

As may be seen in figure 3, general training for staff and line managers in all sectors is aimed at those who need to have awareness and be able to recognise the signs of harm, neglect or exploitation and require to know when and how to respond, what action to take and how they fit into a protection plan. Although some of the level 2 learning requirements have been met by the half- and two-day training courses delivered between 2006 and 2008 on a multiagency basis in Dundee, further awareness training is required to fulfil the full requirements of the new legislation. Delivery will be in the following formats.

5.2.2.1 Briefing presentations and workshops

A cascading approach has been implemented to brief all teams about what the *Adult Support and Protection (Scotland) Act 2007* will offer adults at risk and induction programmes now include protecting people to ensure that level 2 requirements are met at the earliest someone starts working in their employing agency.

New staff coming into the social work department will continue to have *Protecting People* as part of their core induction. This will be the approach across all agencies responsible for the protection of people in Dundee.

The full programme is presented in Figure 4.

Figure 4: Summary of level 2 training initiatives

Target Groups	Training/Learning Event	Numbers completed	Date
Community Care senior management team	Briefing presentations	32	March 2009
Teams in Community Care, Children's Services, Criminal Justice Services	Cascaded information and presentations via team managers	700	March-April 2009
New Social Work Staff	Induction programme-protecting people awareness	65	March-October 2009
Front-line staff including home care staff	½ day awareness raising	723 social work staff and 210 health, housing and the voluntary sector	2007/2008

5.2.2.2 Future Delivery Requirements at level 2

Protecting People awareness

A project group commenced work on awareness level training in April 2009 to plan future delivery. The course material for *Protecting People* is being developed across the three local authority areas by staff in Dundee, Perth and Kinross and Angus and delivery is planned from December 2009. There has been close involvement of service users in the development of this programme and materials. This training package can be shared and delivered on a multiagency basis across Tayside. Further planning as to how this will be delivered is currently underway.

This training will incorporate adult, child and public protection. It will replace previous awareness training in these separate areas; therefore all staff that do not have line management responsibilities will be required to attend. An adult support and protection DVD is being produced in Tayside which will also

enhance awareness raising. This can be shared and delivered on a multiagency basis.

All staff that attends future multiagency training will have received a level of knowledge and understanding of their own agency's policy and procedures first to ensure they all acquire similar understanding.

5.2.3 Level 3: Detailed knowledge and understanding

This level is for staff working in any sector who play a major part in communications, assessment, recording events and decision-making on actions to be taken. They will have a major role in the implementation of protection plans, including legal processes. It is also for staff managing services and staff in other areas of work such as governance, advocacy and education. Level 3 is the main area for multi agency targeted and specialist training relating to the *Adult Support & Protection (Scotland) Act 2007* and any practice development in the future.

A summary of training at this level is presented in Figure 5.

Figure 5: Level 3: Detailed knowledge and understanding

Target Groups	Training/Learning Event	Numbers completed/d ate	Date
<p>Key Local Authority Staff, including, Learning and Development staff, and Social Work managers,</p> <p>There was significant attendance from across the public sector and in particular Tayside Police</p>	<p>Training the Trainers- national suite of training materials</p>	<p>13 - (within social work)-</p> <p>Numbers unavailable</p>	<p>2008/09</p>
<p>Frontline staff, frontline managers and service managers in</p>	<p>Case study workshops in relation to ASP practice and procedures</p>	<p>60 Staff</p>	<p>April 2009 - present</p>

community care. Community Care staff	I day conference/workshop "Decision-making in Adult Support and Protection	35 (This was attended by multi agency staff across Tayside, numbers to be identified) -	June 2009
Council Officers	Support and Protection of Adults at Risk- one day training event	104	July 2009-present
Council Officers and Tayside Police	Pilot Adult Support and Protection Investigative Interviewing – 4 1/2 days training	3 Dundee 3 Angus 3 Perth & Kinross 3 Tayside Police	September 2009-present
Council Officers	Court Witness Skills – 1 day	6 Social Work staff Tayside Police and appropriate adults numbers to be identified.	September 2009-present
Social Work Staff, practitioners and managers	Ethical Recording Case	200 across Social Work (160 in October 2009)	2009
Service Managers	Chairing and Managing Case Conferences – adult and child – 1 days training	13 Criminal Justice, Community Care, Children's Services	2008/09
Frontline staff, Frontline managers in Adult Services and Children's	Pilot: Looking for Signs of Safety 2 Day course, plus 3 practice workshops	18 Children's Services 3 Adult Services	Commenced September 2009
All social work Staff	Domestic Abuse Awareness Workshop	115 staff	April 2008/present

5.2.3.1 Training for trainers

To date 13 staff have attended two-day training for trainers which has allowed them to explore the *Adult Support & Protection (Scotland) Act 2007* and has introduced them to the national suite of training materials. It is envisaged that this group of staff will support some of the learning events in level 3.

5.2.3.2 Case study workshops

In community care, service managers have delivered practice-based, experiential workshops for social work staff who have been identified as operating as council officers within the legislation.

5.2.3.3 The support and protection of adults at risk for council officers

Social Work Department council officers have attended a one-day training event, delivered by *Mental Health Law in Practice*, to explore powers and duties under the Act. This training make links to practice using case scenarios and exploring multiagency roles and responsibilities. *Mental Health Law in Practice* can be commissioned to deliver a similar course on a multiagency basis. However, planning, co-ordination, administration and funding processes will first need to be put in place.

5.2.3.4 Adult support and protection investigative interviewing training: Pilot

A Tayside model of investigative interviewing training based on the *National Child Protection Interview Guidelines* has been developed in an adult protection context by the Tayside working group which includes representatives of the three local authorities and Tayside Police. The pilot is delivered by an externally commissioned trainer with experience of the child interviewing model, along with experienced adult services team managers and senior learning and development officers. Delivery of the pilot will be completed in October 2009 and the evaluation will inform the next steps.

5.2.3.5 Chairing and managing case conferences

The *Learning and Workforce Development Service Development Service* has commissioned the company, *Reconstruct* to deliver an event on chairing and managing case conferences. This included materials relevant to service managers involved in conferences for adults and children. Most service managers and officers involved in protection work have undertaken this event.

5.2.3.6 Ethical case recording

This Social Work Department training was delivered in May 2009 to 200 social work staff. Future dates are set for further events for 160 staff who hold case loads. Protection is a high priority in the delivery of this training, particularly in relation to human rights legislation.

5.2.3.7 Signs of safety

This is a protection assessment and planning protocol and comprehensive risk assessment: incorporating both danger and safety and the perspectives of both professional and service recipients. Two day training course on theory and skill followed by three practice workshops incorporating Video Enhanced Reflective Practice.

5.2.3.8 Postgraduate certificate in adult support and protection

A postgraduate certificate in adult support and protection is being developed in collaboration with the University of Dundee. The *Social Work, Learning and Workforce Development Service* is working as part of a multiagency group to develop this award which will include the following: (a) report writing; (b) risk assessment; (c) assessment and decision making; (d) core groups and care planning; (e) case conferences; (f) Vulnerable Witness (Scotland) Act; (g) staff supervision; (h) initial referral discussion; (i) information sharing and communication; (j) local/multiagency guidance; (k) consent and capacity; (l) self-evaluation.

5.3 Future developments

Developments in the scope of training and staff development will continue in the coming two years. In part this will be based on communication between agency learning and development services and the sub-group to develop future learning and development needs.

6. Communication strategy

Dundee Adult Support and Protection Committee is fully aware that the success of its work is dependent on creating wider awareness of the harm individuals suffer and encourage citizens in Dundee to act when they have concerns that an adult is being harmed. The objective is to create the kind of awareness that now exists in the area of child protection. To this end the committee has created a communication sub-group which has designed a website informing people what to do in the event of concerns and providing contact 'phone numbers'.⁸

Initially the work of the sub-group has been to reinforce the message of the Scottish Government's national *Act Against Harm Campaign*. Details of this

⁸ <http://www.dundee.gov.uk/socialwork/protecting/>

campaign are available on the internet⁹. This public awareness raising campaign is being undertaken at approximately the same time as the national campaign, i.e. November-December 2009. The message is that all citizens in Dundee have responsibilities to individuals at risk of harm, with a clear indication of the routes by which such concerns may be made known and the responsibilities of statutory agencies. This campaign will be launched at Discovery Point on December 10 2009. A poster campaign is to be mounted and a range of associated materials (e.g. pens, cards etc.) produced. An Adult Support and Protection Committee logo has also been designed (see report).

In 2010 specific groups will be targeted for awareness raising and information. These target groups are:

- 6.1 providers of services to Dundee City Council including care home and other providers of accommodation and day opportunities. This event will be a free, one day event – perhaps similar to the April 2009 Angus Council adult protection day, but with a clear emphasis on Dundee’s expectations and procedures
- 6.2 individuals who may be at risk of harm
- 6.3 family carers with family members who may be at risk of harm, whether living in the family home or in supported accommodation; this would be developed in collaboration with carers’ organisations in Dundee
- 6.4 School children/students: Preliminary discussions have taken place with the Education Department regarding the inclusion of adult protection issues in relevant parts of the curriculum and special sessions on this subject

In order to identify possible risks in community settings and increase awareness, the convenor will in due course meet with local community champions to make them aware of the new legislation and the role of the Adult Support and Protection Committee,

Following a press release publicity in the media to date has included STV News¹⁰, Radio Tay, and local newspapers.

A website has been established giving contact details for reporting concerns regarding harm to individuals:

<http://www.dundee.gov.uk/socialwork/protecting/>

⁹ <http://www.infoscotland.com/actagainstharm/>

¹⁰ <http://news.stv.tv/scotland/tayside/127857-vulnerable-adults-focus-of-new-support-drive/>

7. Local, regional and national collaboration

7.1 Child Protection Services in Dundee

The protection of an adult who is in need of support and protection mirrors to a certain degree that of the protection of children and young people. During 2008 the Children and Young Persons Protection Committee (CYPPC) decided to strengthen the processes of integrated children's planning by ensuring that clear and obvious links were made from the Single Outcome Agreement (SOA) to the Integrated Children's Services Plan (ICSP), to the CYPPC Business Plan. This reflects the activity of the Adult Support and Protection Committee in respect of this annual report and action plan.

As a committee we are committed to learning from the child protection arena and recognise the similarities and differences. We also recognise the connections with Criminal Justice Services.

The outcomes for children and young people are that they are safe, nurtured, healthy, achieving, active, respected, responsible and included. These outcomes equally apply to adults.

The delivery of public information that informs the children, young people and adults of Dundee about the priority for children and young people to be protected from abuse and neglect is crucial. To reinforce the need that everyone has a duty of care to those children and adults in the community that may be at risk of harm and that 'Protecting People' is everyone's job, there are a number of activities that will contribute to this important agenda.

7.2 Cross Tayside collaboration

The *Tayside-Wide Adult Protection Group* includes representatives of the three councils, Tayside Police and NHS Tayside, as well as the three independent conveners. Cross-region co-ordination and exchange of information on local activities constitute its principal work. Chairing of the group rotates, having been held by Angus Council during the year covered by this report subsequently passing to Dundee.

The three independent conveners have formed their own sub-group and meet to discuss common concerns and co-ordination of activity.

A multiagency protocol, *Protecting Vulnerable Adults in Tayside: Multiagency protocol* was launched in December 2005 following work undertaken by Angus, Dundee and Perth & Kinross Councils, Tayside Police and NHS Tayside. The protocol applies to all individuals in Tayside at risk of harm and acknowledges the complexities surrounding adult protection. The document may be downloaded¹¹:

[Protecting Vulnerable Adults in Tayside protocol \(912KB PDF\)](#)

¹¹ http://www.dundee.gov.uk/dundee/uploaded_publications/publication_168.pdf

The Implementation Sub-group has reviewed the NHS Tayside *Operational Procedures for the Support & Protection of Adults At Risk of Being Harmed: Draft 5.1*¹² and provide detailed feedback in the light of the Adult Support and Protection Committee's own work and that of Dundee City Council.

7.3 National communication across Adult Support & Protection Committees

Under the auspices of the Scottish Government, independent convenors from across Scotland have begun a series of one day conferences to review issues relating to the operation and work of Adult Protection Committee. During the period under review, one such meeting has been held in which consideration was given to, *inter alia*, approaches to multiagency working and facilitating true representation of agencies and organisations in the work of the committees, the accountability of Adult Support and Protection Committee convenors, data sharing and audit. A working party was established to develop a template for the independent convenor's biennial report to the Scottish Government.

8. Dundee Adult Support & Protection Committee Business/Strategy Plan (2009-2011)

The Dundee Business/Strategic Plan is well advanced though consultations with partner agencies and its further development are now required. In particular, consultation with stakeholders such as service users is called for and will be undertaken through the communication strategy. The draft appears in Appendix 5.

9. Retrospective and future developments

During the first year of the City of Dundee Adult Support and Protection Committee appreciable progress has been made in establishing structures and processes to ensure that allegations of harm to individuals living in Dundee are responded to quickly and effectively. Operating procedures are in place together with a detailed recording system.

As shown in the business plan, while these measures require continual review and updating in the light of increasing experience, there are crucial tasks that which require development during year two:

- 9.1 a system of audit and self evaluation needs to be developed and implemented to ensure that effective procedures are continually improved
- 9.2 criteria for identifying significant cases must be set and the committee must review selected cases on an on-going basis

¹² NHS Tayside (2008) Operational Procedures for the Support & Protection of Adults At Risk of Being Harmed: Draft 5.1. Dundee: NHS Tayside.

- 9.3 the nature of representation of agencies on the committee needs to be explored more fully to ensure that *agency representation* rather than the views of the individual committee member are fully explored
- 9.4 the work of the committee needs to be more fully integrated with the wider public protection agenda and that of the various agencies contributing to this, e.g. child protection, MAPPA etc
- 9.5 a rigorous appraisal of the risk of harms to identifiable groups in Dundee needs to be undertaken, covering both community and service settings



Appendices

Appendix 1: Principles and definition of adult at risk under the *Adult Support & Protection (Scotland) Act 2007*

The principles and definition of an adult at risk if harm will be found in the Adult Support & Protection (Scotland) Act 2007 and in the related Code of Practice which will be found at:

<http://www.scotland.gov.uk/Publications/2009/01/30112831/3>

from which this appendix is taken.

1. This chapter provides a description of the principles of the legislation as set out in Sections 1 and 2 of the Act and the definition of "Adults at risk" and "harm" (Sections 3 and 53 of the Act). It concludes with a short overview of offences under the Act.

Taking account of the principles of the Act

2. Sections 1 and 2 set out the general principles of the Act. They apply to any public body or office holder authorising any intervention or carrying out a function in relation to an adult. For example, they apply to any social worker, care provider or health professional intervening or performing a function under the Act.

3. This means that the following persons are **not** bound by the principles: the adult; the adult's nearest relative; the adult's primary carer; independent advocate; the adult's legal representative; and any guardian or attorney of the adult.

4. The Act requires the following principles to be applied when deciding which measure will be most suitable for meeting the needs of the individual. Any person or body taking a decision or action under the Act must be able to demonstrate that the principles in sections 1 and 2 have been applied.

5. The principles in Section 1 require that any intervention in an adult's affairs under the Act should:

- provide **benefit** to the adult which could not reasonably be provided without intervening in the adult's affairs; and
- is, of the range of options likely to fulfil the object of the intervention, the **least restrictive** to the adult's freedom.

Principles for performing functions

6. The principles in Section 2 require that any public body or office holder performing a function under Part 1 of the Act, in considering a decision or course of action, in addition to the general principles in Section 1, must have regard to the following:

- **the wishes of the adult** - any public body or office holder performing a function or making a decision must have regard to the present and past wishes and feelings of the adult, where they are relevant to the exercise of the function, and in so far as they can be ascertained. Efforts must be made to assist and facilitate communication using whatever method is appropriate to the needs of the individual. For example, where the adult has an Advance Statement made under Section 275 of the Mental Health (Care and Treatment) (Scotland) Act 2003 then this should be given due consideration.
- **the views of others** - the views of the adult's nearest relative, primary carer, and any guardian or attorney, and any other person who has an interest in the adult's well-being or property, must be taken into account, if such views are relevant.

It is important that the adult has the choice to maintain existing family and social contacts. What the Act seeks to provide is support additional to the networks that may already be in place. Thus a person who may be an adult at risk may have neighbours or friends who have an interest in his/her well-being and are willing to give support. Every effort should be made to ensure that any action taken under the Act does not have an adverse affect on this.

- **the importance of the adult participating as fully as possible** - the adult should participate as fully as possible in any decisions being made. It is therefore essential that the adult is also provided with information to help that participation (in a way that is most likely to be understood by the adult). Where the adult needs help to communicate (for example, translation services or signing) then these needs should be considered. Any unmet need should be recorded.

Wherever practicable the adult should be kept fully informed at every stage of the process, for example, whether an order has been granted, what powers it carries, what will happen next, whether they have the right to refuse, what other options are available etc.

- **that the adult is not treated less favourably** - there is a need to ensure that the adult is not treated, without justification, any less favourably than the way in which a person who is not an "adult at risk" would be treated in a comparable situation; and
- **the adults abilities, background and characteristics** - including, the adult's age, sex, sexual orientation, religious persuasion, racial origin, ethnic group and cultural and linguistic heritage.

7. For the purposes of these principles, making a decision not to act is still considered as taking a decision and the reasons for taking this course of action should be recorded as a matter of good practice.

Who is an adult at risk?

8. The Act refers throughout to "adult". In terms of Section 53 of the Act, "adult" means a person aged 16 or over.

Adult at risk - Section 3(1) defines "adults at risk" as adults 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.

9. The presence of a particular condition does not automatically mean an adult is an "adult at risk". Someone could have a disability but be able to safeguard their well-being etc. It is important to stress that all three elements of this definition must be met. It is the whole of an adult's particular circumstances which can combine to make them more vulnerable to harm than others.

Risk of harm - Section 3(2) makes clear that an "adult" is at risk of "harm" if:

- another person's conduct is causing (or is likely to cause) the adult to be harmed, or
- the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm.

10. The assessment of "harm" and the "risk of harm" are important elements under the Act. The definition of "adults at risk" requires an assessment to be made about the "risk of harm" to the individual at the outset.

11. Because any protection order under the Act represents a serious intervention in an adult's life, a sheriff must be satisfied that an adult is at risk of serious harm, rather than harm, before granting any such order.

Harm - Section 53 states harm includes all harmful conduct and, in particular includes:

- conduct which causes physical harm,
- conduct which causes psychological harm (for example by causing fear, alarm or distress),
- unlawful conduct which appropriates or adversely affects property, rights or interests (for example theft, fraud, embezzlement or extortion),
- conduct which causes self-harm.

12. The definition of "harm" in the Act sets out the main broad categories of harm that are included. The list in the definition is not exhaustive and no category of harm is excluded simply because it is not explicitly listed. In general terms, behaviours that constitute 'harm' to others can be physical (including neglect), emotional, financial, sexual or a combination of these. Also, what constitutes serious harm will be different for different persons

Appendix 2: Functions and membership of Adult Protection Committees

The functions of the Adult Protection Committees will include:

1. developing and introducing arrangements and protocols for inter-agency working and auditing and evaluating the effectiveness of these arrangements;
2. developing procedures, policies and strategies for protecting adults at risk and reviewing these;
3. developing and introducing arrangements to monitor, review, disseminate and report activity in relation to the protection of adults at risk. For example this might include gathering key information relating to:
 - 3.1. numbers of inquiries and investigations;
 - 3.2. the number of adult protection referrals by age, client group, gender etc;
 - 3.3. types of abuse;
 - 3.4. agency involvement;
 - 3.5. outcome of referrals and recommendations; and number of initial case conferences convened;
4. raising awareness and providing information and advice to the wider community and to professionals;
5. training and development activities;
6. improving local ways of working in light of knowledge gained through local and national experience, case review and research; and
7. undertaking any other functions relating to the safeguarding of individuals as the Scottish Ministers may specify.

Membership

Councils will be responsible for appointing a committee convener and committee members with relevant skills and knowledge.

The convener must be independent and not be a member or officer of the council.

Committee members must be appointed in accordance with the following requirements:

- The following bodies must nominate a representative with the skills and knowledge relevant to the functions of the APC to be a committee member:
 - the council;
 - the relevant Health Board;
 - the chief constable of the police force maintained in the council's area; and
- any other public body or office holder specified by the Scottish Ministers (*Scottish Ministers have not specified any other bodies at the time of publication*);
- The Care Commission may nominate a representative with the relevant skills and knowledge if it wishes to do so; and

- The council may appoint such other persons as appear to have skills and knowledge relevant to the Committee. For example, this might include a member of a voluntary group, an independent care provider etc.

Procedures

Each Committee will establish and regulate its own procedures, which must allow representatives from the following organisations to attend committee meetings:

- the Mental Welfare Commission for Scotland;
- the Public Guardian;
- the Care Commission, where it is not represented on the committee; and
- any other public body or office-holder specified by the Scottish Ministers.

Information sharing

The following bodies must provide the committee with any information that the committee may reasonably require to enable it to carry out its functions:

- the council;
- the Care Commission;
- the relevant Health Board;
- the chief constable of the police force maintained in the council's area;
- the Mental Welfare Commission for Scotland;
- the Public Guardian; and
- any other public body or office holder specified by the Scottish Ministers. *(Scottish Ministers have not specified any other bodies at the time of publication).*

Reporting

The convener must produce a report every two years on the exercise of the committee's functions. Following approval by the committee, the report must be forwarded to:

- to the Scottish Ministers;
- the council;
- the Care Commission;
- the relevant Health Board;
- the chief constable of the police force maintained in the council's area;
- the Mental Welfare Commission for Scotland;
- the Public Guardian; and
- any other public body or office holder specified by the Scottish Ministers. *(Scottish Ministers have not specified any other bodies at the time of publication).*

Appendix 3: Adult Protection Unit posts

Adult Protection and Review Officer

Job Purpose

To oversee the organisation of adult protection case conferences and to chair case conferences where necessary. To review and report on the operation of the adult support and protection case conferencing, care planning and review frameworks.

To promote and develop partnership working among all agencies involved in the care support and protection of adults in Dundee, ensuring that a person-centred focus is developed.

Senior Officer Adult Support and Protection

Job Purpose

To have a key role in the development and implementation of a co-ordinated multi-agency strategy for the supporting and protecting of adults in Dundee. To promote and develop partnership among all agencies involved in the care, support and protection of adults in Dundee, ensuring that a person-centred focus is developed.

Appendix 4: Adult Protection Budget 2009-2010

	Full Year Cost £
Adult Protection Committee	9,600
Training and Staff Development	12,000
Publicity	15,000
Adult Protection Unit 1 Review Officer 1 Senior Officer 1 Admin Assistant 3 Clerical Assistants	150,233
Frontline Services Review Team	240,367
Supplies, Services, Travel	10,800
Total	438,000

APPENDIX 5: Dundee Adult and Support Protection Committee Business Plan 2009- 2010

1 Public Information

Adult Support and Protection committees are required to develop, produce and disseminate information to the public about protecting adults in need of support and protection

- Raise awareness of adults in need of support and protection within communities
- Promote the work of all agencies in the protection of adults in need of support and protection
- Provide information on where the public should go if they have concern about an adult who may be in need of support and protection

Objective Produce and disseminate public information	What are we going to do?	What resources are required	How will we know we have done it?	By whom?	By When?
To establish a vision for the support and protection of adults.	Work together to establish vision and principles underpinning the vision for the support and protection of adults	Staff time	Vision in place and in publication documentation	ASPC and CO	October 2010
To develop a communication strategy and increase awareness and involvement of the wider community in adult support and protection	Set up and implement a Communication and Public Information working group. Consult with service providers and general public	Staff time	Communication group established Information published and launched. Consultation will have happened	Communication Group	Completed Dec 09 Completed Dec 09 July 2010
To provide information on	Increase public	Staff time	Annual report published	ASPC Chair	February 2010

Objective Produce and disseminate public information	What are we going to do?	What resources are required	How will we know we have done it?	By whom?	By When?
where the public should go if they have concern about an adult who may be in need of support and protection	awareness of ASP work by providing an annual report to be available on the ASP website, and central appointments e.g, libraries, GP's surgeries.	Finance?	Bi annual report and updated business plan	Lead Officers	October 2010
To promote the work of all agencies in the protection of adults in need of support and protection	Raising awareness of 'protection people' exercise to be undertaken with membership of the local Community Planning Partnerships, Violence Against Women, Community Safety, Voluntary Agencies	Staff Time Community Rep time	Increase of referrals Source of referrals Data Sets	Reps from Communication Group Community reps Senior Officers	3 monthly progress monitored via data sets
To continue to raise awareness of Dundee ASPC website to professionals, service users and members of the public.	Develop a range of publicity on an ongoing basis. This would include press and media	Staff Finance	Range of publicity will be in place. Media coverage on 'stories' Record number of 'hits ' on website	Communication Group	Quarterly monitoring

2 Continuous Improvement

ASPC have a key role to play in the continuous improvement of adult support and protection work. A number of functions relate directly to this role. These are;

- policies, procedures and protocols;
- management information;
- quality assurance and self evaluation;
- promotion of good practice; and
- training and staff development

3 Policies, Procedures and protocols

- Ensure that constituent inter-agency procedures are vital to the support and protection of adults
- Regularly develop, disseminate and review inter-agency policies and procedures;
- Ensure that protocols are developed around key issues where there is agreement that this is required

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By When?
To develop and introduce arrangements and operating procedures for multi agency working.	Have in place operating procedures. will be reviewed by the Dundee Adult Support and Protection Committee Review all paper work	Staff time Finance	Procedures in place and disseminated	ASP Implementation sub group	Completed Jan 2010
To regularly develop, disseminate and review single and inter-agency policies and procedures;	The operating procedures will be reviewed by the Dundee Adult Support and Protection Committee	Staff time	Revised operating procedures to be in place	Implementation group	3 monthly review Annually

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By When?
To develop a city wide assessment including risk assessment and protective factors.	Embed risk assessment as part of assessment of need.	Staff time	Assessments in place for service users	SO Adult support and Protection Staff from implementation group.	to be confirmed
To design policies and strategies for protecting adults at risk of harm, keeping these under review	Establish a set of standards/quality Indicators (check with SG)	Staff time Time of Chair of ASPC	Standards/quality Indicators will be in place	Chair of ASPC SO ASPC	1st Draft end March 10 Pilot Revise August 10 Implement Oct 10
To review and update the Tayside Protocol on 'Protecting Vulnerable Adults in Tayside'	To be updated in light of the new legislation	Staff time Finance	New Protocol to be in place	Tayside Wide Group	To be confirmed
To develop policy and practice through consideration of national and international developments in the field of adult support and protection	Continually consider developments and amend out own policy and practice in light of any learning.	Staff Time	Reports to ASPC Amended policy and practice in place	Senior Officer Adult Support and Protection Implementation group	At least annually
To ensure that protocols are developed around key issues where there is agreement that this is required	Highlight key issues for self evaluation to inform future protocols.	Staff Time	Protocols in place	Senior Officer Adult Support and protection	Following each significant case review Following each practice case review.

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By When?

4 Management Information

ASPC's will have an overview of management information from all key agencies about their work to protection adults in need of support and protection. The ASPC will;

- have an overview of information relating to adults who may in need of support and protection
- receive regular management information reports, which include analysis of trends;
- identify and address the implications of these reports for services; and
- ensure that these reports inform the inter-agency strategy

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By When?
To have an overview of information relating to adults who may in need of support and protection	<p>Develop and maintain systems to support the monitoring and review the outcome for the adult.</p> <p>Regularly consider adult protection statistical information and trend information to inform practice , service delivery</p>	Data sets to be established and presented to ASPC	<p>We will have information on; number of inquiries, investigations by age, service areas, gender and other characteristics</p> <p>Number of Initial referral discussions</p> <p>Number of adult case conferences and reason for cc. e.g. type of harm, abuse, mistreatment and neglect</p> <p>The ASPC be</p>	ASPC Senior Officer Information	Every three months, commencing April 10

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By When?
			aware of which services are vulnerable or are facing particular pressures		
To ensure that all agencies have robust information systems that effectively account for the work of their staff.	Develop and implement regular management information reports, which include analysis of trends;	Staff time	Reports will be available to the ASPC and CO's These reports inform the inter-agency strategy	Senior Officer Information	3 monthly

5 Quality Assurance, Self Evaluation and Promotion of Good practice

The ASPC will;

- Agree, implement and review multi agency quality assurance mechanisms for inter agency work, including auditing
- Ensure that these quality assurance mechanisms directly contribute to the continuous improvement of services to protect adults who may be in need of support and protection
- Contribute to the preparation for any inspection process
- Consider the findings and lessons from other inspections, inquiries and significant case reviews
- Report on the outcome of these activities, and make recommendations to the Chief Officer Group, who are accountable overall for the quality of services, including adults in need of support and protection

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By When?
To develop and implement a system	Develop and implement a self	Staff time	Sub group will be in place	National Audit Project	Oct 10

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By When?
of audit to ensure that practice is evaluated	<p>evaluation group</p> <p>To implement self evaluation that includes quality assurance mechanisms, case reviews that includes auditing inter-agency adult protection work</p>		Audit framework will be in place		
To have a framework for self-evaluation of services, established and implemented to ensure effective procedures are continually improved.	<p>The ASPC have in place a system for identifying high risk areas/groups and report these to the CO's Group.</p>	Staff time	<p>The ASPC to have an overview of case reviews to inform future practice.</p>	National Audit Project	Oct 10
	<p>Develop audit and evaluation procedures to determine that these arrangements are effective, including the identification and consideration of special cases.</p>		<p>Framework will be in place and implemented</p>	National Audit Project	Oct 10

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By When?
To develop and introduce arrangements to monitor, review, disseminate and report activity in relation to the protection of adults at risk of harm	The Adult Protection Committee will have the overall responsibility for the formal review of a significant case, and will undertake this role on behalf of, and will report with outcomes and recommendations to, the Chief Officers	Staff time	Systems will be in place	ASP Committee Delegated Staff	Oct 10
The ASPC will regularly review and improve the support to staff in the improvement of performance of agencies associated with the support and protection of adults	Monitor the provision and effectiveness of support systems for staff working with adults at risk. This will include professional supervision, debriefing and counselling.	Implementation of Multi agency protocol for support of employees affected by critical incidents.	Feedback from staff Feedback from staff support Sickness Absence management Data	Line Managers Counselling services	

6 Training and Staff Development

ASPC are responsible for promoting, commissioning and assuring the quality and delivery of inter-agency training.

The ASPC will;

- have an overview of single agency adult protection training and consider the implications of inter-agency training
- plan, review and quality assure inter-agency training and development activities

- have in place, and review at least annually, a programme for inter-agency adult protection training; and
- ensure relevant, effective and consistent inter-agency training is provided for practitioners, managers, non-statutory agencies and for ASPC members

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By When
To ensure that the ASP Committee implement the Adult Protection Training Framework	Undertake training and staff development with identified professional paid staff, and other relevant multi agency workforce development	Staff Finance	Framework in place All learning and development in Dundee will be planned to meet the learning outcomes of this training framework	Training sub group	ongoing 6 monthly reporting.
To have an overview of single agency adult protection training and consider the implications of inter-agency training.	Monitor the provision and effectiveness of support systems for staff working with adults at risk. This will include professional supervision, debriefing and counselling.	Staff Finance	To have in place, and review at least annually, a programme for inter-agency adult protection training;	Training sub group	Annually
To ensure relevant, effective and consistent inter-agency training is provided for	Plan, review and quality assure inter-agency training and development activities	Staff Finance	The skills and knowledge of officers or employees will have improved Improved quality and	Training sub group	Ongoing

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By When
practitioners, manages, non-statutory agencies and for ASPC members			appropriateness of referrals Accredited staff in place		

7 Strategic Planning

The ASPC is the key local body in terms of the planning of adult support and protection work. This requires to be done in conjunction with other planning mechanisms and priorities, in particular, Community Safety Partnership, Community Planning, and Health and Local Authority Management group.

The contribution of the ASPC to strategic planning falls into three broad categories:

- Communication and co-operation;
- Planning and connections; and
- Public information (as stated earlier)

8 Communication and Co-operation

Effective The ASPC will;

- Demonstrate effective communication and cooperation at ASPC level;
- Actively promote effective communication and collaboration between agencies;
- Identify and, wherever possible resolve any issues between agencies in relation to the support and protection of adults;
- Demonstrate effective communication with other inter-agency bodies;
- Demonstrate effective communication about the work of the ASPC with staff in constitute agencies; and
- Identify opportunities to share knowledge, skills and learning with other ASPC's

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By when?
Chief Officers, to have in place governance arrangements	Governance Arrangements to be implemented	Staff	Governance Framework will be in place and available on publicity material	CO Chair of ASPC SO ASP	To be confirmed
Establish effective ways of communicating decisions and	Include ASP in all induction material in all agencies. Through relevant	Staff time	Bulletin Website	SO ASP Communication Group	Ongoing

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom?	By when?
discussion at ASPC to staff in all agencies.	bulletins in all agencies, e.g. CO briefings,				
To continue to enhance effective and joined up working with relevant local agencies in related protection fields, e.g. child protection, MAPPA, Domestic Abuse, Tayside Adult Protection Committees and multi agency working	Implement the use of multi agency protocols, to reinforce culture shift and partnership. Standing items on agendas(cross reference groups) Ensure appropriate representation at ASPC is achieved	Staff time Staff time	Staff surveys Minutes of meeting Audits Increased participation in ASP activity Minutes with attendance	Practitioners Forum All staff ASPC Agency participation	Ongoing In line with timeframe of other partnership meetings.
To ensure an effective and efficient data sharing system is in place	Explore IT framework at national and local level	Staff time	Framework for sharing information will be in place	Scottish Government Local IT National Practice Forum	Dec 2011
To identify opportunities to share knowledge, skills and learning with other ASPC's	Chair of ASPC to meet with other ASPC chairs	Chair time	Minutes of meetings will be circulated	Chair of ASPC	3 monthly

9 Planning and connections

The ASPC links into other multi agency partnerships and structures

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom	By when?
Ensure that ASP members continue to participate in strategic planning groups related to violence against women, community safety partnerships, CS planning Community Care planning etc.	Ensure ASP members are represented in the planning fora.	Staff time	Representation at meetings, Attendance at meetings Minutes Appropriate ASP references in other community plans	All staff SO ASP Self evaluation sub group	When other meetings take place
To identify issues where either joint working would be beneficial or duplication could be avoided	Undertake Strategic mapping and matching activity	Staff time	Issues have been identified	SO ASP	When SO is in post

10 *Listening and Involving adults in need of support and protection and where appropriate their carers

- Work is informed from the perspective of the adult in need of support and protection;
- Adults in need of support and protection are involved in the development and implementation of public information and communication strategies

***This section will be undertaken with a range of service users and advocates from the communication strategy group and events.**

Objective	What are we going to do?	What resources are required?	How will we know we have done it?	By whom	By when?
To draw on the experience of the voluntary sector in eliciting the view of adults	Promote advocacy services by				
To improve decision making and recording practices to ensure the view of the adult is better reflected.					
Ensure views are accounted for through the application of inter-agency quality assurance/self evaluation					