
**SCOTTISH BORDERS ADULT PROTECTION COMMITTEE
ANNUAL REPORT (2016 – 2017)**

**Report by Chief Social Work Officer
SCOTTISH BORDERS COUNCIL**

29 March 2018

1 PURPOSE AND SUMMARY

- 1.1 **This report updates members of the continuing progress in Scottish Borders in the development of an interagency approach to the support and protection of adults who are at risk of harm (as defined in the Adult Support & Protection (Scotland) Act 2007).**
- 1.2 The Annual Report (in Appendix 1) covers the activities of the Scottish Borders Adult Protection Committee during the period 1st April 2016 – 31st March 2017. The report highlights the continuing work being undertaken in the Scottish Borders in regard to meeting the Council's statutory duties to support and protect adults at risk of harm in the area. This includes information on the Adult Protection Committee and its subcommittees; statistical information collated by the Adult Protection Unit; the operational work undertaken in order to meet the statutory requirements of the Adult Support & Protection (Scotland) Act 2007 Act; and the Learning & Development programme adopted by the Scottish Borders.

2 RECOMMENDATIONS

- 2.1 **It is recommended that the Council:-**
- (a) Endorse the Annual Report of the Scottish Borders Adult Protection Committee 2016/17**
 - (b) Agree that it be published on the Council's website and distributed.**

3 BACKGROUND

- 3.1 The interagency Scottish Borders Adult Protection Committee and the Adult Protection Unit were established in 2005. This is the twelfth Annual Report published, on behalf of the Adult Protection Committee.
- 3.2 The Adult Support & Protection (Scotland) Act 2007 was passed by the Scottish Government in February 2007 and received Royal Assent on 22 March 2007. Part 1 of the Act deals with the protection of adults at risk of harm and was implemented in October 2008. It introduced new measures to protect individuals who fall into the category of 'adults at risk'.

4 ANNUAL REPORT 2016 - 2017

- 4.1 The Annual Report details the range and variety of activity undertaken by the Adult Protection Committee in working together to protect adults at risk in the Scottish Borders, and implement fully the Adult Support & Protection (Scotland) Act 2007.
- 4.2 In order to achieve its objectives, the Adult Protection Committee agreed an Interagency Business Plan for the Protection of Adults at Risk in order to meet the statutory requirements of the Adult Support & Protection (Scotland) Act 2007. There are three subcommittees established in order to help the Adult Protection Committee and the Adult Protection Unit achieve the priorities in the current Interagency Strategy. The current interagency strategy and business plan for 2015 – 2017 is in place.
- 4.3 The number of cases progressing from Referral to Adult Protection concerns (AP Referrals), as defined by the Act, displays an increased pattern with 204 cases in 2016-2017 compared to 171 cases in 2015-2016 and 169 cases the previous period. Adult Protection concerns were investigated where it was known or believed that an adult was at risk.

'Adults at risk' are 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.

For those referrals that did not meet the above criteria, they did not progress to an Adult Protection concern, as defined above, a significant number were signposted to other services for support.

- 4.4 Under the Adult Support & Protection (Scotland) Act 2007, the Council has a duty to inquire and investigate situations where harm is suspected. The majority of inquiries and investigations are managed through the use of supportive interventions without resorting to the use of Protective Orders available via this Act or other appropriate interventions via the Mental Health (Care & Treatment) (Scotland) Act 2003 or the Adults with Incapacity (Scotland) Act 2000. This is in line with the principles of these Acts and in line with what would be the least restrictive, most beneficial and proportionate response. Most situations are progressed by negotiation and co-operation, and consideration is given to other legal avenues where

appropriate. The sharing of appropriate information between partner agencies has ensured that individuals are suitably protected from harm without unnecessary intervention.

- 4.5 The Learning & Development programme adopted by the Scottish Borders delivers a bespoke approach to learning. The rolling programme of standard training sessions is open to all agencies (statutory, independent and third sector) based in the Scottish Borders, and the outcomes are based on the national training programme developed for the Scottish Government. It is acknowledged that it is important for all partners to work together in supporting and protecting adults at risk of harm, and multi-agency training helps to deliver this message to people who may have contact with adults at risk. In 2016-2017, a total of 2,300 people completed training modules including Social Work, Health Care, Police, staff in the Voluntary Sector and Independent Sector. Adult Support and Protection E-learning continues to be mandatory for SBC and NHS Borders.
- 4.6 Activity – Financial and physical harm continue to be the most prominent types of harm in the Scottish Borders. Work with trading standards last year to tackle financial harm and scams has seen a positive impact on adult protection referrals, particularly in the age range 65 – 79 years of age, as figures are down by a third. Most cases of physical harm happen in the adults own home usually by someone known to them. Reports of physical harm and neglect are also reported in private care home settings. Scottish Borders investigate all incidents of harm in these settings and have now delivered bespoke adult protection training into all 22 care homes within the Scottish Borders. Within the under 65 year age range, social media and smart phone technology is particularly impacting on relationships. Many adults are introduced to a wider group of friends / acquaintances through this technology. However this technology can also be used in some situations, to target and harm our most vulnerable adults.
- 4.7 Priorities for 2017 – 2018

There are a number of priorities for the Adult Protection Committee:

- (a) Financial harm - Progress has been made in this area. A recent financial harm event was very well attended by professionals and speakers included trading standards, banking and the office of the Public Guardian. This area continues to feature prominently in the Scottish Borders and further work is planned through local media campaigns and smart boards throughout Scottish Borders.
- (b) Client and Carer feedback - Scottish Borders has made progress in securing client and carer feedback and is using this to better inform, service delivery. Scottish Borders are keen to see further improvement by introducing outcome focused risk assessments and protection plans which keep the service user at the heart of the process.
- (c) Key structures and processes are in place to support Adults at Risk in the Scottish Borders. We recognise the challenge to further develop quality assurance systems to demonstrate performance and outcomes.

5 IMPLICATIONS

5.1 Financial

There are no costs attached to any of the recommendations contained in this report.

5.2 **Risk and Mitigations**

This report makes an important contribution to the overall management of risks of the Council and the governance of this important area of activity.

Whilst the Committee and partner agencies work tirelessly to protect adults at risk of harm, we can never fully mitigate this risk. In addition to ongoing improvements to working practices, policies, procedures, audit and quality assurance work, we also respond to external audit and inspections to ensure that any areas highlighted for improvement are acted upon.

- 5.2.1 The Adult Protection Committee follows the Council's Corporate Risk Management Policy and framework and has a strategic risk register in place that is reviewed by the Committee on a quarterly basis, with the latest review taking place on 12 December 2017. This ensures that adequate scrutiny and oversight is given to the risks that threaten the achievement of the Adult Protection Committee's objectives.
- 5.2.2 The Adult Protection Unit has a service level risk register with the latest review taking place on 10 January 2018. Both the Adult Protection Committee and the Adult Protection Unit risk registers recognise that appropriate adult protection training, regular review and update of policies and procedures, plus ensuring quality assurance and audit work are undertaken, are critical to ensuring adult protection.
- 5.2.3 The Chief Social Work Officer owns a risk on the Council's Corporate risk register regarding the protection of adults and children which ensures strategic scrutiny and oversight of the work undertaken to mitigate this risk.
- 5.2.4 Risk registers are in place for the Learning Disability Service, Mental Health Service and Emergency Duty Team and adult protection is a priority theme across these service risk registers.
- 5.2.5 It is also worth mentioning that the Council's Protective Services also has a risk regarding the protection of vulnerable people from financial scams and rogue traders.

5.3 **Equalities**

It is anticipated there will be no adverse equality implications due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals contained in this report.

5.4 **Acting Sustainably**

There are no known effects on economic, social or environmental implications arising from this report.

5.5 **Carbon Management**

There are no known effects on carbon emissions arising from this report.

5.6 **Changes to Scheme of Administration or Scheme of Delegation**

There are no known changes required to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

6 CONSULTATION

- 6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR, and the Clerk to the Council have been consulted and their comments have been incorporated into the final report.
- 6.2 The Adult Protection Committee and relevant subgroups were consulted.

Approved by

Murray Leys
Chief Social Work Officer

Signature

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Background Papers: Nil

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Linsey McGillivray can also give information on other language translations as well as providing additional copies.

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