



East Lothian and Midlothian Public Protection Committee

Adult Support and Protection Biennial Report 2016-2018

Contents

1) Introduction	<u>Page 3</u>
2) National Data Reporting	<u>Page 4</u>
3) Harm	<u>Page 5</u>
4) Outcomes and Strengths	<u>Page 9</u>
5) Challenges and Priorities	<u>Page 11</u>
6) Legal Requirements	<u>Page 12</u>
7) Summary and Conclusion	<u>Page 13</u>
 Appendix 1	
Performance Indicators	<u>Page 14</u>
 Appendix 2	
Home Fire Safety Visit Referral Pathway	<u>Page 15</u>

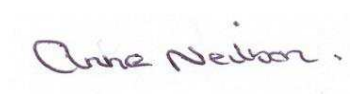
1) Introduction

This Biennial report outlines the activities of the East Lothian and Midlothian Public Protection Committee (EMPPC) for 2016-2018.

The EMPPC is now fully established since its development in 2014. The EMPPC continue to address the cross-cutting issues for service users across all aspects of public protection in East Lothian and Midlothian.

The EMPPC incorporates all aspects of Public Protection including Adult Support and Protection, Child Protection, Violence against Women and the Multiagency Public Protection Arrangements (MAPPA). MAPPA provides a framework to manage the risk posed by registered sex offenders, restricted patients and other violent offenders.

The responsible agencies are committed to working in partnership to improve services to supporting and protecting all people who may be at risk of harm within our communities.

A handwritten signature in purple ink that reads "Anne Neilson".

Anne Neilson

Director of Public Protection, NHS Lothian

Chair, East Lothian and Midlothian Public Protection Committee

2) National Data Reporting

EMPPC acknowledge that the national data provided is out with the reporting parameter of the biennial report (October 2016 to October 2018). The national data reported provides a more accurate picture of the adult support and protection activity within East Lothian and Midlothian and has been collated within the annual reporting periods (1st April – 31st March 2016-17 and 2017-18).

Both East Lothian and Midlothian have experienced a significant increase in the number of Adult Support and Protection referrals (ASP referrals) received within the reporting periods.

In 2016-2017 Midlothian Council reported a 36% (from 501 to 681) increase in the number of ASP referrals received when comparing to 2015-2016.

This increase can be linked to a 25% (from 182 to 227) increase in the number of ASP referrals received from Police Scotland. However, the most notable increase 225% (from 12 to 39) is the number of ASP referrals from General Practitioners (GPs). This appears to be associated with training delivered to GPs as part of their Protected Learning Time by the NHS Lothian Public Protection Team on the Mental Welfare Commissions report of Mr JL. The number of ASP referrals from GPs has continued to increase by a further 10% (from 39 to 43) in 2017-2018. In the same reporting year the number of ASP referrals from Police Scotland has reduced by 11% (from 227 to 201). Midlothian Council have reported a 1% (from 681 to 690) increase in ASP referrals in 2017 -2018.

East Lothian Council reported an 8% increase (from 493 to 530) in the number of ASP referrals received in 2016-2017. The main source of referral in this reporting period was from Police Scotland submitting 204 ASP referrals a reduction of 25% (from 272 to 204) from 2015-2016. The source of referral with the largest increase is within the category of “Other” reporting a 553% increase (from 17 to 111) in 2016-2017. In 2017-2018 this further increased from 111 to 265, a 139% submitting more referrals than Police Scotland in 2017-2018.

A sample size of referrals within the category of “Other” were analysed to determine the source of referral and the nature of the harm, revealing that most of the referrals were from the Third Sector and Care Homes. The type of harm reported mainly appeared to be altercations between residents within care homes.

Additionally, it was also noted that some referrals were not indicated as Adult Support and Protection concerns and therefore may have been logged incorrectly suggesting that the number of ASP referrals to East Lothian Council in 2017-2018 is lower than reported. In recognition of the issues, this information will be shared with the relevant staff to ensure accurate reporting, as well as discussions with Care Inspectorate contact managers as it is thought they may be encouraging care homes to report all incidents under Adult Support and Protection this may not always be necessary.

East Lothian:

Measure	2016/17	2017/18
Referrals	530	791
Investigations	148	112
Protection orders	2	1
Number of Large Scale Investigations	2	2

Midlothian:

Measure	2016/17	2017/18
Referrals	681	690
Investigations	82	87
Protection orders	0	1
Number of Large Scale Investigations	4	4

In comparison to National Data Reporting 2016-2017 both East Lothian and Midlothian Councils appear to be receiving higher than the national average ASP referrals in 2016-2017 with Midlothian being within the top two local authorities.

3) Harm

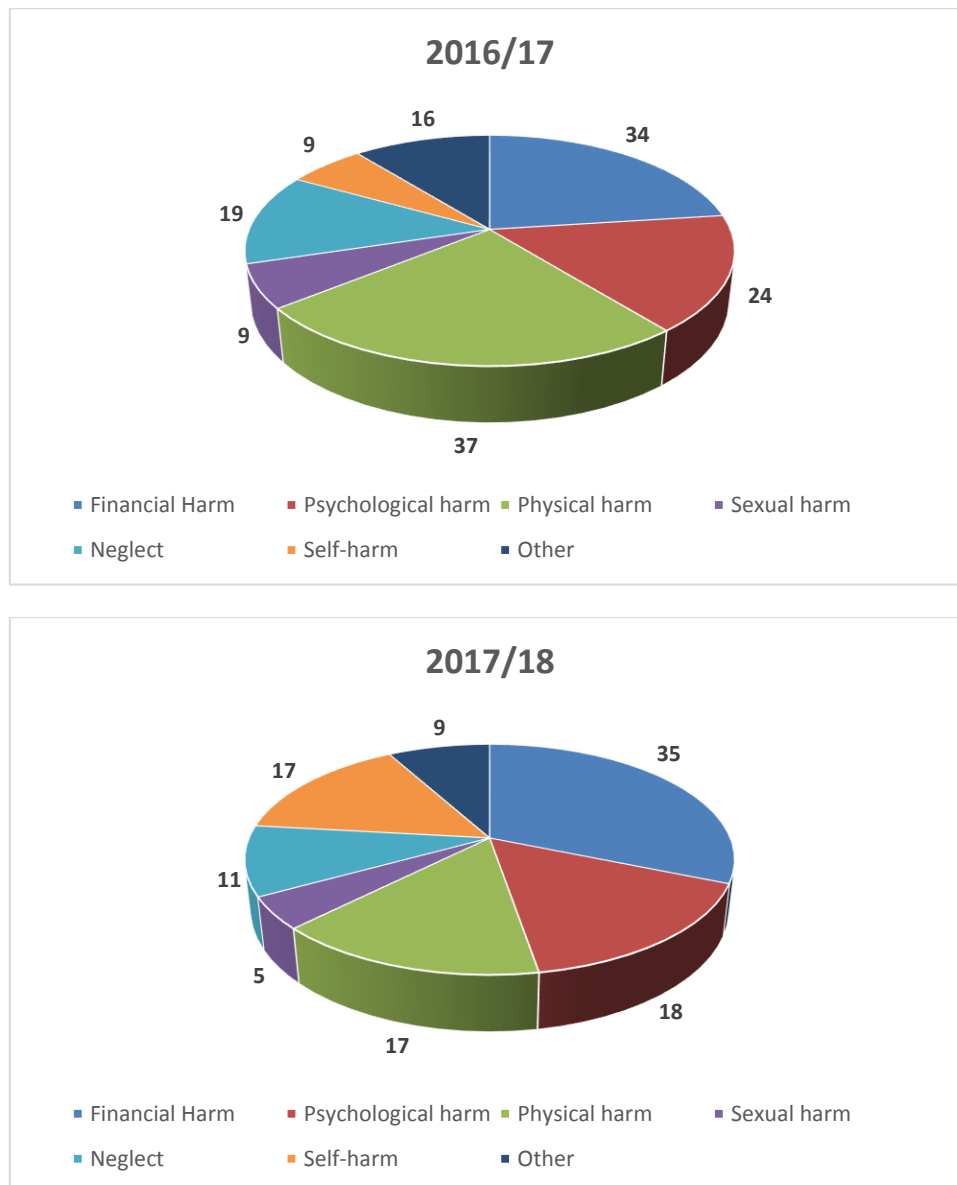
East Lothian Council have also reported a 114% (from 69 to 148) increase in the number of Investigations undertaken in 2016-2017 in comparison to Investigations reported in 2015-2016. This increase is reflective of changes within operational practice and the recording of Investigations. The Biennial Report 2014-2016 advises of the practice changes within the legislative functions of the Adult Support and Protection (Scotland) Act 2007 following the formation of East Lothian and Midlothian Public Protection Committee.

Although, East Lothian Council were undertaking visits to the adult this was recorded within the Inquiry episode of Mosaic (recording system) and not within the Investigation episode, therefore reflecting a smaller number of Investigations having taken place in 2015-2016. Having provided clearer direction for staff between Inquiry and Investigations, East Lothian Council have reported an increase in the number of Investigations progressed in 2016-2017. At this time, East Lothian Council also made some changes to its operational processes and structures. As a result of competing demands within this new system this lead to Investigations being undertaken which were not always necessary. This is reflective within Scottish Governments Data Set as East Lothian Council are indicated as having a higher number of Investigations in comparison to the national average in 2016-2017.

In recognition of this, East Lothian Council have made further changes to ensure a more proportionate response to Adult Support and Protection concerns and report a 24% decrease (from 148 to 112) in the number of investigations undertaken in 2017-2018.

Principal type of harm

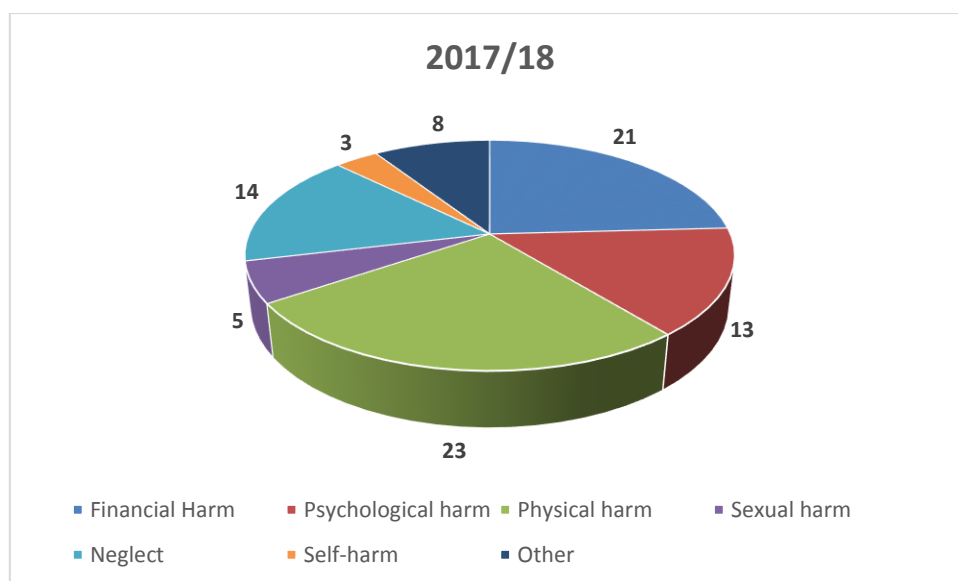
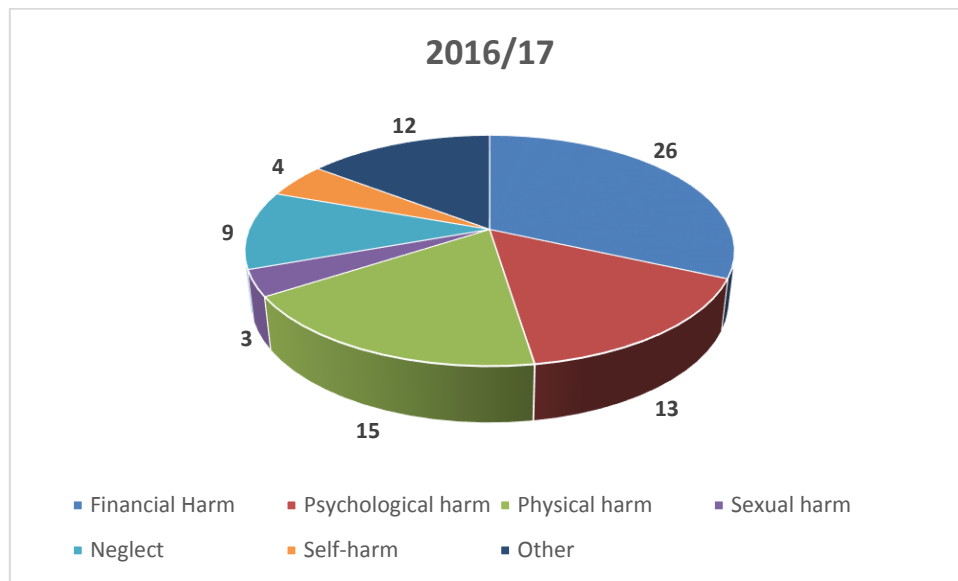
East Lothian



Midlothian Council has reported a 36% decrease (from 129 to 82) in the number of Investigations undertaken in 2016-2017 compared to 2015-2016, with a small increase of 6% (from 82 to 87) fiscal year end 2017-2018. The reductions reported appear to be linked to the delay in processing ASP referrals. An audit into the reasons for the delays in processing of ASP referrals revealed that a further 14 Investigations had been undertaken, however these were recorded within the Inquiry episode, suggesting the number reported is not a true reflection of the number of Investigations undertaken in 2017-2018.

Work is being carried out with staff to ensure accurate recording of the functions undertaken within the Adult Support and Protection (Scotland) Act 2007.

Midlothian



The main types of principal harm investigated across both local authority areas is Financial Harm and Physical Harm. This correlates with the national picture reported in 2016-2017.

Financial Harm

Further analysis of these Investigations reflected the disparate range of financial harm including where legal appointments were in place such as Power of Attorney / Financial Guardians and in these circumstances all information was shared with the Office of the Public Guardian.

EMPPC are committed to reducing the risk of Financial Harm through awareness raising and have developed a [Practitioners Guidance on Financial Harm](#), this is supported by a LearnPro module and is widely accessible to multi-agency staff including the Third Sector.

Physical Harm

East Lothian Council reported that Physical Harm was the main type of harm investigated in 2016-2017. Further analysis identified that investigations involved complex issues of deteriorating mental illness and domestic abuse. The Lead Officer for Adult Support and Protection is based within the Public Protection Office alongside colleagues who have a lead responsibility for Child Protection and Violence Against Women as well as the Domestic Abuse Service and Multi-Agency-Risk Assessment Co-ordinator (MARAC). The co-location of these roles has enabled shared learning across these areas, in particular raising awareness with the Domestic Abuse Advisors of ASP legislation and where this may apply to victims of Domestic abuse. Concurrently, the Lead Officer for Adult Support and Protection has also been involved in the chairing of MARACs' enabling an Adult Support and Protection perspective within this process.

Physical Harm is the main type of harm investigated by Midlothian Council 2017-2018. Further analysis revealed that the majority of the cases investigated occurred within a care setting or in the adults own home by the primary carer (paid/unpaid). There have been four Large Scale Investigations within Midlothian Council within this reporting year.

In all Investigations undertaken information is shared with health and police through an Inter-agency Referral Discussion (IRD). This process determines the lead agency, identifies risk and the action to be taken relative to the risk and the adults vulnerability.

EMPPC implemented e-IRD (electronic Inter-agency Referral Discussion) on 21st April 2018. This provides a shared recording platform for core agencies (police, health and social work) to record information, identify risk and agree actions where it is believed that an adult may be at risk of harm. East Lothian and Midlothian Health and Social Care Partnerships have identified health staff to participate in this process with police and social work colleagues. In support of information sharing across the partnership areas including third sector agencies EMPPC have developed [A practitioners guide to information sharing to support the wellbeing of adults](#).

Across both Local Authorities there have been four Protection Order granted all of which have been Banning Orders with Powers of arrest within the reporting period 2016- 2017 and 2017-2018.

Large Scale Investigations

Large Scale Investigations (LSI) continue to feature heavily on the landscape of Adult Support and Protection within East Lothian and Midlothian Councils, with one organisation

having three care homes across both local authority areas. All care homes have been subject to LSI within a two year period (April 2016 - present) with two being issued with an Improvement Notice from the Care Inspectorate. EMPPC are working very closely with the Care Inspectorate to ensure the safety of residents within their homes to ensure they receive a qualitative service.

EMPPC continue to hold bi-monthly multi- agency quality in care meeting as well as providing support to care home managers and care at home managers through our Training for Trainers Adult Support and Protection programme.

4) Outcomes and Strengths

Adult Support and Protection Thematic Inspection

Midlothian Health and Social Care Partnership were inspected as one of the six partnership areas of the Adult Support and Protection Thematic Inspection and evaluated as follows:

- Outcomes for Adults at Risk of Harm – **Good**
- Key Processes for Adult Support and Protection – **Good**
- Leadership for Adult Support and Protection – **Very Good**

The Care Inspectorate also made two recommendations to the Partnership as follows:

- The Partnership should make sure that all adult protection referrals are processed timeously.
- The Partnership should make sure that social workers prepare well-balanced, valid chronologies for all adults at risk of harm who require them.

A copy of the full inspection report can be accessed on the [Care Inspectorate website](#).

EMPPC are committed to improving outcomes to adults at risk of harm across both local authority areas. In response to the recommendations within the Care Inspectorate report, Midlothian Health and Social Care partnership have undertaken audits to determine the reasons for the delay in processing ASP referrals and of the quality of chronologies undertaken. The outcomes of the audit have been shared with staff and are included in the Adult Support and Protection improvement plan, progress is reviewed and monitored quarterly through the Performance and Quality Improvement sub group.

Adult Support and Protection Improvement Plan and Performance Indicators

The Adult Support and Protection Improvement plan is informed by the learning from single agency case file audits, outcomes from local Initial Case Reviews, as well as local and national Significant Case Reviews, along with the recommendations from the Midlothian Health and Social Care Partnership thematic Inspection of Adult Support and Protection.

EMPPC have undertaken a number of single agency case file audits between October 2016-2018 with the outcomes of each audit being included in the improvement plan and progress and implementation of each action monitored through the Performance and Quality Improvement sub-group. The Care Inspectorate noted in their Inspection report that “There were a number of examples where quality assurance and audit activity led to improvements. These included:

- Improved management and delivery of case conferences within timescales.
- Council officers seeking to meet with adults at risk of harm two weeks after case conference in an effort to improve feedback.
- Improvements to the completion of chronologies supported by chronology training.

EMPPC have also developed a set of Performance Indicators which report on timescales of the work undertaken in response to the Adult Support and Protection Pathway and of operational processes that support and inform decision making in response to adults at risk of harm.

EMPPC have since reviewed and updated the original Performance Indicators to include multi-agency attendance at Adult Support and Protection Case Conference (see [appendix 1](#)).

Learning from Initial Case Reviews

Within this reporting period (October 2016 to October 2018) there have been six Initial Case Reviews (ICRs) for Adult Support and Protection, one progressed to a Child Protection Significant Case Review (SCR) as it involved a young person in transition. An outcome of this SCR has involved the review of the Transitions Procedures within both local authorities, to include young people who have challenging needs, a risk to their health and wellbeing and require ongoing support and intervention.

The remaining ICRs all presented with a range of complexities with crossovers into domestic abuse, learning disability, mental health, substance misuse and fire risks. The learning points from each case review highlighted the need for involvement of specialist roles in such circumstances where there is added complexity of risk.

EMPPC are committed to the ongoing development of staff working with adults at risk of harm and of the wider public protection agenda. The learning from each of the case reviews has informed changes to current training to include the cross overs between Adult Support and Protection and Domestic Violence, focusing on the impact of trauma and how this can affect the adults’ ability to safeguard themselves.

EMPPC have worked extensively with Scottish Fire and Rescue Service (SFRS) to raise awareness of multi- agency staff, including the third sector of fire risks within the home and to inform them of the Free Fire Home Safety Visits accessible via SFRS website. EMPPC have developed a Home Fire Safety Visit Referral Pathway in conjunction with SFRS. This tool will

be widely accessible to all agencies across East Lothian and Midlothian including Third Sector organisations (see [appendix 2](#)).

The Scottish Fire Rescue Service are delighted with the production of the Home Fire Safety Referral Pathway. This process, supported by the provision of risk awareness training to Multi- Agency staff members will contribute to the SFRS objective of reducing fire deaths and injuries from fire, whilst providing additional safeguards for those who are vulnerable and at increased risk of fire within their home.

5) Challenges and Priorities

Priority areas

EMPPC's current priorities are focused on the recommendations following the Adult Support and Protection Thematic Inspection. Audits have been undertaken in response to the recommendations identifying learning needs and areas of development. The outcomes of which have been included within the Improvement plan to ensure operational progress when responding to referrals as well as development sessions for staff on producing valid chronologies, progress will be monitored through the Performance and Quality Improvement sub-group.

In response to the number of Investigations into Financial Harm across both local authorities EMPPC are hosting two events across East Lothian and Midlothian for members of the public in February 2019, this is planned to coincide with the National Adult Support and Protection day. EMPPC continue to raise awareness of Adult Support and Protection within our local communities and have linked with Neighbourhood Watch Scotland to support us by targeting local communities through their newsletter.

In the lead up to these events EMPPC will raise awareness of the different types of harm, by using the images provided by Scottish Government National Campaign #Seensomething #Saysomething through the Council's and partner agencies communication teams.

Challenges

EMPPC audit processes identified a lack of multi-agency representation at initial adult support and protection case conferences, often resulting in case conferences being cancelled as they are inquorate and therefore having to be re-convened to ensure proportionate and appropriate multi-agency attendance. EMPPC have since included attendance of core agencies at initial case conference within the Performance Indicators. This enables senior management oversight of the reasons for non-attendance and to take responsibility for agreed action to ensure multi-agency representation at initial case conferences.

EMPPC single agency case file audits have revealed challenges between the interface of the Adult Support and Protection (Scotland) Act 2007, Mental Health Care and Treatment (Scotland) Act 2015 and The Care Programme Approach, when supporting and considering intervention for adults presenting with complex mental health issues, complex trauma, combined with self-harming behaviours, suicidality, substance and alcohol misuse. In recognition of this EMPPC are in the process of developing workshops for multi-agency staff working with such complexities to assist with decision making, risk assessment and clarity of frameworks when responding to such circumstances.

EMPPC continually strive to evaluate Service Users experiences to inform service delivery. Presently, this is obtained through a self-evaluation questionnaire, specifically asking if the service user feels safer as a result of the intervention provided. This continues to be a challenge for various reasons, more often than not service users do not wish to provide feedback of their experiences. However, where the service user has attended their case conference and provided feedback all questionnaires received, reported that they feel safer as a result of the intervention provided.

"I'm still here, because of Adult Support and Protection"
Service user, Joint Inspection of Adult Support and Protection in
Midlothian

6) Legal Requirements

EMPPC have recently reviewed and updated their Adult Support and Protection Policy and Procedures amendments have included:

- Transfer principles of Adults at Risk of Harm between local authorities.
- Transfer of Adults at risk of Harm between Scottish Prison Service and local authority.

EMPPC have published a number of documents which are embedded within this report, providing information, advice and guidance on specific areas of practice, as well as delivering a comprehensive training package accessible to all staff working within East Lothian and Midlothian this includes third sector staff.

7) Summary and Conclusions

The East Lothian and Midlothian Public Protection Committee Biennial Report 2016-2018 demonstrates the commitment from agencies to the joint public protection approach in addressing and responding to the cross cutting aspects of public protection.

Partner agencies recognise the increasing demand of adult protection and view the increase in activity in a positive way as agencies are becoming increasingly aware of all aspects of Adult Support and Protection. Agencies are working collaboratively to reduce the risk to adults and young people in transition.

Looking forward we plan to build capacity with the workforce to ensure staff are confident and competent in their work. We have appreciated the opportunity to be involved in the first Thematic Inspection for Adult Support and Protection in Scotland and will take the learning from the inspection forward over the next two years.

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Designation	Adult Support and Protection Lead Officer
Date	25/10/18

Appendix 1 – East Lothian and Midlothian Adult Support and Protection Performance Indicators

Ref	Measure
ASP01	Total number of cases with a live Adult Support and Protection plan
ASP02	Number of Adult Support and Protection IRD's undertaken.
ASP03	Number of repeat Inter-agency Discussions within a 12 month period following Adult Support and Protection Case Conference
ASP04	Percentage of Duty to Inquires that have been completed within procedural timescales (within 7 Calendar days)
ASP05	Percentage of Adult Support and Protection Initial / Review Case Conferences held within procedural timescale (from date of Inter-agency Discussion / previous Case Conference)
ASP06	Percentage of Adult Support and Protection Initial Case Conferences where Council Officer reports were completed within procedural timescale (3 days in advance of the date of the case conference)
ASP07	Percentage of adults where a single agency chronology is available in advance of the Initial Adult Support and Protection Case Conference (3 calendar days prior)
ASP08	Percentage of adults where a comprehensive multi-agency risk assessment has been completed within 28 calendar days of the Initial ASPCC in preparation for the Review ASPCC
ASP09	Percentage of Adult Support and Protection plans completed within 24 hours of the Initial / Review Adult Support and Protection Case Conference.
ASP10	Percentage of Adult Support and Protection case conferences where the adult attended (including number invited)
ASP11	Percentage of Adult Support and Protection case conferences where a carer attended (including number invited)
ASP12	Percentage of Initial Adult Support and Protection Case Conferences where Police personnel attended (including number invited)
ASP13	Percentage of Initial Adult Support and Protection Case Conferences where Health personnel attended (including number invited)
ASP14	Percentage of Adult Support and Protection case conferences where an advocate / guardian / power of attorney attended (including number invited)
ASP15	Number of adults reporting that they feel safer as a result of intervention (following Initial Case Conference)

Appendix 2 – Home Fire Safety Visit Referral Pathway

