

Biennial Report of the Independent Chair of East & Midlothian Adult Protection Committee**Report by Eibhlin McHugh, Director Communities & Wellbeing****1 Purpose of Report**

- 1.1 The purpose of this report is to introduce the report of the Independent Chair of the Adult Protection Committee and advise Cabinet of the work of the Adult Protection Committee. The report gives an overview of Adult Protection activity in Midlothian since the last biennial report in October 2010. A copy of the report accompanies the agenda for this meeting.
- 1.2 The report was submitted to Scottish Government on 30th October 2012. Feedback has not yet been received.

2 Background

- 2.1 The Adult Support and Protection (Scotland) Act 2007 has now been in force for four years. The Act introduced duties, powers and measures to safeguard adults who may be at risk of harm; and provides a statutory framework for multi-agency Adult Protection Committees (APCs) which have a duty to contribute to the protection and welfare of adults at risk of harm through collaboration between agencies, the government and the general public.
- 2.2 Within the local authority areas of East Lothian and Midlothian a single Adult Protection Committee was established with an Independent Convenor and a single Lead Officer. Three sub committees enable the Committee to fulfil its statutory functions, namely Quality Assurance (discreet to APC) Practice Learning & Development, and Engagement and Communication (which are joint with Child Protection, Violence against Women, Drug and Alcohol Partnership, and Offender Management). For the latter two sub-committees the challenge is to maintain the relevant importance of individual issues whilst exploring the efficiencies and synergies across Public Protection as a whole

3 Report Implications**3.1 Resource**

- Financial –Scottish Government have allocated monies each year for Adult Support and Protection and continued their allocation of £238,000 for 2012 - 2013. As yet I do not have confirmation about next year.
- Personnel - Dissemination of the report will be undertaken by existing staff.
- Other – It is planned that the main media for dissemination will be electronic.

3.2 Risk

The Adult Support and Protection (Scotland) Act 2007 introduces statutory duties for the council. Failure to engage with this significant area of work would both leave adults at risk of harm in our community and be a potential risk to the reputation of the council.

3.3 Policy

Strategy

This report is linked to the Adult Support and Protection (Scotland) Act 2007 and related policy, as well as ELBEG Adult Protection Guidelines, Ensuring Rights, Preventing Harm. It is also linked to wider Public Protection strategies as efficiencies and synergies are sought across the area as a whole.

Consultation

Consultation was undertaken with members of the Adult Protection Committee in compiling the report.

Equalities

This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

Sustainability















This is the second statutory biennial report as required by Scottish Government.

3.4 IT Issues

This report will be published on the intranet and internet of both councils

4 Summary of Adult Protection Activity 2010 – 2012

4.1 Midlothian area 2010-12

Measure	Short Term Trend	Long Term Trend	2010/11	2011/12
Referrals			699	802
Inquiries			112	126
Investigations/IRD			65	76
Case conference			37	59
Open cases (average)			27	34
LSI			2	4
Protection Orders			0	2

The number of Referrals leading to a Duty to Inquire have increased slightly from 112 in 2010-11 to 126 in 2011-12 (13%) with 76 (39%) progressing to Inter-agency Referral Discussion, and 64 (84%) of those progressing to case conference / professionals meeting. The

percentage of referrals progressing to Inquiry is comparable for both years but in 2011/12 a higher percentage progressed to case conference (84% this year, 53% in 2010-11). The average number of cases being managed under Adult Support and Protection Procedures over the year increased from 27 in 2010/11 to 34 in 2011/12

4.2 Protection orders

The use of protection orders is still a very small part of the ongoing work introduced by the Act, however as practice experience has grown; a protection order is routinely considered when someone is at risk of serious harm. In Midlothian there were no protection orders in 2010/11 and two Banning Orders with powers of arrest in 2011/12. The subjects were acquaintances who had befriended the adult and caused serious psychological and financial harm. Following the granting of these orders the Sheriff concerned produced positive judicial guidance with regard to the application process in future cases from which a local practice protocol has been developed.

4.3 Large Scale Investigations

In total there have been six Large Scale Investigations in Midlothian in the last two years. Four were for Care Homes (three relating to the same care home) and two regarding care at home agencies. For Care Homes, issues were around management of medication, tissue viability, dignity and respect and poor standards of nursing care. Evidence shows that the significant multi-agency and cross council response has enabled considerable progress towards sustained improvements. For Care at Home agencies, issues were around financial harm, medication management and communication, and the response included routine consideration of Adults with Incapacity interventions.

Prevalence from 01 April 2010 – 31 March 2012

See pages 19 and 20 of accompanying report.

5 Recommendations

Cabinet is asked to note the contents of this report.

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Background Papers:

Report of the Independent Chair of East & Midlothian Adult Protection Committee and Appendices