

Adult Support and Protection (Scotland) Act 2007

# Progress in Forth Valley

Biennial Report (Short Version)  
October 2010



Falkirk Council



Clackmannanshire  
Council



## 1. The Legislation

The Adult Support and Protection (Scotland) Act 2007 came into force in late 2008. This Act has been described as ‘the missing piece of the jigsaw’, complementing the Adults with Incapacity (Scotland) Act 2000 and the Mental Health (Care and Treatment) (Scotland) Act 2003. The underlying ethos of the Act is the provision of timely support for adults at risk of harm by a range of partners working in a co-ordinated way, backed up by a range of legal sanctions. For example a Banning Order may be sought from the Sheriff, with or without power of arrest so that perpetrators of harm can be removed. It is clear from the first two years of operation that legal sanctions will only be required in a few cases. Statutory and voluntary agencies should work together with the adult at risk of harm, families and carers as appropriate.

## 2. Biennial Report

The legislation requires a Biennial Report to be produced every two years for the Scottish Government. This is the **short version** of the report submitted to Scottish Government in late 2010.

The contributing partners were:

- Clackmannanshire Council
- Falkirk Council
- Stirling Council
- NHS Forth Valley
- Central Scotland Police
- Care Commission\*
- Local Advocacy services
- CVS Falkirk & District

(The full version can be obtained from the Lead Officer for your local authority area – see Key Contacts on back page.)

\* the Care Commission is now known as SCSWIS – Social Care and Social Work Improvement Scotland)

## 3. Adult Support and Protection Committee

The legislation requires every area to establish an Adult Support and Protection Committee and in Forth Valley this has been achieved by the partners coming together to form one Committee.

The statutory partners are the three Local Authorities:

- Clackmannanshire
- Falkirk
- Stirling
- NHS Forth Valley
- Central Scotland Police

Other members of the Committee represent:

- The Care Commission\*
- Procurator Fiscal Service
- Advocacy Services
- CVS Falkirk & District

Together these bodies offer the range of services which may be required by any adult at risk of harm.

**The over-arching aim of the Committee is to ensure inter-agency collaboration and cooperation.**



## 4. The Work of the Committee

As required by legislation the Committee has an Independent Chair, Helen Munro. It meets every two months, in different venues throughout Forth Valley.

The Committee reports directly to the Forth Valley Chief Executives Group. The Forth Valley Chief Executives Group - often referred to as G5 - strives towards maximum efficiency and effectiveness for public services throughout the area and encourages joint working where this is appropriate.

The Committee has ensured the development of a range of Forth Valley Procedures and Protocols, including:

- Information Sharing
- work towards a Serious Case Review Protocol
- a Data Collection Template

It is also responsible for co-ordinating publicity throughout the area:

- Analysis of performance and audit
- Ensuring that training and staff development take place

### Sub-Groups

The Committee held a Review Day in mid-2010. One of the main outcomes was the setting up of two Sub-Groups – one for Falkirk and one for Stirling/Clackmannanshire – to enable a greater focus on local, operational issues and finding solutions to any areas of local concern. Another main outcome was to shift the focus over the coming two years to performance and quality assurance, including user and carer involvement.

*Falkirk Local Operational Group Chair:*

Marion Reddie, Falkirk Council  
marion.reddie@falkirk.gov.uk

*Clackmannanshire/Stirling Local Operational Group Alternate Chairs:*

Chris Sutton, Stirling Council  
suttonc@stirling.gov.uk

Joanne Aitken, Clackmannanshire Council  
jaitken@clacks.gov.uk

Each Local Operational Group reports to the Forth Valley Committee and meets approximately every two months.

## 5. Training

Every new piece of legislation requires staff in all partner agencies to be well informed and, if their role requires it, be provided with appropriate training.

A Forth Valley Training Group was established in mid-2008 to prepare for the legislation and continues to meet regularly. This multi-agency group has as its Chair, Pam Gillespie, Falkirk Council, ([pam.gillespie@falkirk.gov.uk](mailto:pam.gillespie@falkirk.gov.uk)) and reports to the Forth Valley Committee.

There are three levels of training:

### LEVEL 1

**Basic Awareness Briefings** for staff who may come into contact with adults at risk of harm in the course of their work and who need information on 'what to do next'.

### LEVEL 2

**Half-day and Full day, multi-agency courses** for staff from a variety of agencies, including care providers who require more knowledge.

- *By Dec 2010, 1,168 staff had attended such courses*

### LEVEL 3

**Courses for Council Officers and specialist staff from other agencies.** These are in-depth courses aimed at Council Officers (usually Social Workers and Occupational Therapists) dealing directly with complex Adult Support and Protection issues.

- *By Dec 2010, 232 staff had been provided with up to 5 days training.*

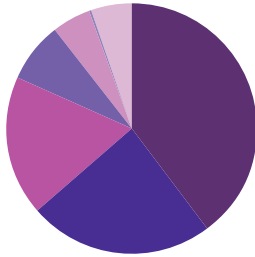
### Future plans

An Adult Support and Protection Training Officer post will continue to be funded by the local authorities for another two years. On-going training will be provided with the views of practitioners very much in mind.

## 6. Statistics

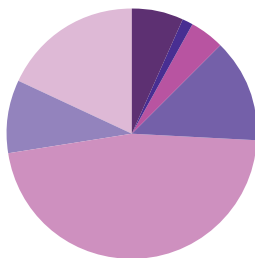
From April 2009 – March 2010, ie. the first full year of the legislation in operation, activity was as follows in Forth Valley: (in the tables Adult Support and Protection has been abbreviated as ASP).

### Referrals and Further Actions



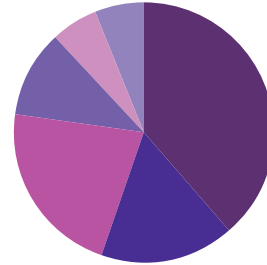
274	referrals throughout Forth Valley
164	led to further ASP investigation
124	planning meetings held
53	case conferences
34	review case conferences
2	Banning Orders
36	current Protection Plans in place

### Source of New Referrals



17	Family
3	Friend/neighbour
11	NHS
33	Social Work team
115	Police
23	Other professional
44	Other

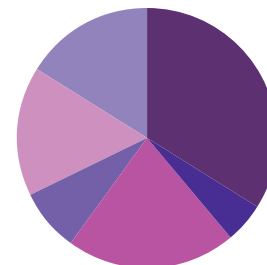
### ASP Cases with current Protection Plan by Service User Group as at 31st March 2010



SERVICE USER GROUP	NUMBER	%
Learning Disability	14	39
Older People	6	17
Physical Disability	8	22
Dementia	4	11
Mental Health	2	6
Other/Not reported	2	6
<b>Total</b>	<b>36</b>	<b>100*</b>

\* % adjustment due to rounding

### ASP Harm Categories for cases with Current Protection Plans as at 31st March 2010



ASP HARM CATEGORIES	NUMBER	%
Physical Harm	13	34
Psychological Harm	2	5
Self-Harm	0	0
Financial/Material abuse	8	21
Institutional abuse	0	0
Neglect	3	8
Sexual Abuse	6	16
Verbal and discriminatory abuse	0	0
Multiple	6	16
<b>Total</b>	<b>38*</b>	<b>100</b>

\*Please note that 2 service users were counted in more than one category in this table.

## 7. Performance and Audit

As the legislation beds in, there is now a greater focus on what it means in practice and how it connects with the use of other relevant legislation ie Adults with Incapacity (Scotland) Act 2000 and the Mental Health (Care and Treatment) (Scotland) Act 2003. Are the systems established – training, procedures, protocols-fit for purpose?

At the national level Professor James Hogg of Dundee University has developed a National Audit Tool, based on a model of self-evaluation. **Stirling Council** trialled this from a single agency perspective on all their Adult Support and Protection cases from April 2009/March 2010 – 84 in total. As well as changes to their own internal arrangements several areas for improvement/future consideration have Forth Valley-wide implications.

- More consistent inter-agency approaches
- More consistent provision and use of Advocacy Services
- Better linkages with Mental Health services
- Shared strategic approach to cases involving domestic abuse
- Clarity on involvement of other related bodies eg. Care Commission\*, Office of the Public Guardian, Mental Welfare Commission

Kathryn Mackay of Stirling University is heading up a research project which aims to gain the views and experiences of practitioners acting as Council Officers, as well as the people who have been the recipients of Adult Support and Protection involvement. **Falkirk Council** is one of three authorities taking part in this study. Findings will become available during 2011.

### Future Plans

The Committee will move to having performance and audit as its major focus from now on. A sample of cases will be audited on a multi-agency basis over the next year.

\*Social Care and Social Work Improvement Scotland (SCSWIS).

## 8. Publicity

Scottish Government funded a national publicity campaign during October 2009, including adverts in local and national press and TV adverts.

Leaflets were widely distributed in Forth Valley. Articles appeared in the Local Authority publications which are distributed free to every household.

Of course, one publicity campaign is not sufficient. The needs of adults at risk of harm must be kept in the public view. In February 2011 a new TV advert was shown over a two week period on STV. New publicity materials based on this advert are being developed and will soon be distributed throughout

Forth Valley.

A leaflet is also in preparation specifically for adults with a learning disability. This will focus on keeping safe and how to get help and support.





## KEY CONTACTS

### Local Authorities – Lead Officers

Clackmannanshire	<b>Miles MacFarlane</b> milesmacfarlane@clacks.gov.uk
Falkirk	<b>Judy Reed</b> judy.reed@falkirk.gov.uk
Stirling	<b>Joe Lally</b> lallyj@stirling.gov.uk

*Each Lead Officer can be contacted for advice about the legislation and information on local practice and procedures.*

### Central Scotland Police

All aspects of Adult Support and Protection are co-ordinated from the Public Protection Unit based in Larbert, headed by:

**Chief Inspector Brian Johnston**  
brian.johnston@centralscotland.pnn.police.uk

*This unit receives all the VPRs (Vulnerable Persons Reports) in terms of adults at risk of harm from police officers throughout the Forth Valley area.*

### NHS Forth Valley

The main contact on the Committee is:  
**Sue Dow**, General Manager,  
Falkirk Community Health Partnership  
sue.dow@nhs.net

**Allison Ramsay**, Lead Nurse, Learning Disability  
Allison.ramsay@nhs.net  
*has been closely involved in the implementation of the Act.*

