

Agenda Item 5

**National Interim Framework for
Adult Protection Committees for
conducting a Significant Case
Review**

Title/Subject: National Interim Framework for Adult Protection Committees for conducting a Significant Case Review

Meeting: Clinical and Care Governance Committee

Date: 28 February 2020

Submitted By: Adult Protection Lead Officer

Action: For Noting

1. INTRODUCTION

- 1.1. To provide Committee with an overview of one of the first actions from the Scottish Governments' Adult Support and Protection Improvement Plan, this plan will continue to be implemented over the next two years. This paper supports a presentation to Committee.
- 1.2. The Scottish Government advised all Adult Protection Committees of publication of a new Interim National Framework for Adult Protection Committees for Conducting a Significant Case Review (SCR) on 5th November 2019. With this publication came a letter to highlight a few key messages to Adult Protection Committees and Chief Officers of Health and Social Care Partnerships.
 - Practice continues to develop and we want to ensure the framework will offer a level of consistency as we move forward in the development of this complex and important area of work.
 - The framework has been introduced to ensure that the Adult Protection Committees and Chief Officers have a common starting point to undertake significant case reviews.
 - The purpose of this new framework is to ensure consistency by making it easier for learning to be shared.
 - The framework is designed to complement local processes. It provides a common set of objectives and criteria for establishing if a significant case review is required. It describes the steps for carrying out an initial case review and all the areas to consider when undertaking a significant case review.
 - The Care Inspectorate will act as the central collation point for all decisions on initial case reviews and all significant case reviews completed across Scotland.

2. RECOMMENDATION

The Clinical and Care Governance Committee is asked to

- 2.1. note the contents of the report
- 2.2. request further updates as necessary
- 2.3. note key elements of proposal listed which shall be approved by Chief Officers Group for decision.

3. BACKGROUND

- 3.1. The Adult Support and Protection (Scotland) Act 2007 came into effect across Scotland in late 2008 and early 2009. We have therefore had a decade of practice development in this sometimes complex but very important area of work. Falkirk Adult Protection Committee is responsible for overseeing local adult protection policies in their area, a protocol for conducting Significant Case Reviews is one such policy.
- 3.2. Significant Case Reviews are important, firstly, for those individuals and families who have been directly affected by a critical incident, and secondly, to ensure that we learn across the adult protection system. The learning from Significant Case Reviews needs to inform the way in which agencies work together to deliver joined up protection and support and care to those who need it.

4. FALKIRK DRAFT PROTOCOL FOR NATIONAL INTERIM FRAMEWORK FOR ASP CONDUCTING A SIGNIFICANT CASE REVIEW

4.1 National Criteria for a Significant Case Review (SCR)

A significant case need not comprise just one significant incident. In some cases, concerns may be cumulative. A case is significant when one of the following applies:

- a) Where the adult is, or was, subject to adult support and protection processes
 - (i) When an adult at risk of harm dies and the incident or accumulation of incidents (a case) gives rise to significant/serious concerns about professional or service involvement in relation to an adult who is, or was, the subject of adult support and protection processes, and one or more of the following apply:-
 - harm or neglect is known or suspected to be a factor in the adult's death;
 - the death is by suicide or accidental death;
 - the death is by alleged murder, culpable homicide, reckless conduct, or act of violence.

OR

- (ii) When an adult at risk of harm has not died but has sustained harm or risk of harm as defined in the Adult Support and Protection (Scotland) Act 2007 and in addition to this, the critical incident or accumulation of incidents (a case) gives rise to significant/serious concerns about professional or service involvement in relation to an adult who is, or was, the subject of adult support and protection processes.
- b) Where the adult who died or sustained serious harm was not subject to adult support and protection processes
- (i) When the findings of an inquiry or review by another organisation or court proceedings, or a referral from another organisation gives rise to significant/serious concerns about lack of involvement in relation to the Adult Support and Protection (Scotland) Act 2007.

OR

- (ii) The Adult Protection Committee determines there may be learning to be gained through conducting a Significant Case Review.

4.2 **Informed and Supported Workforce**

Falkirk Council learning and development workforce team offers a suite of training for practitioners working in the field of adult protection. This needs to continuously develop and improve with practice. The Learning and Development Sub Group of APC has made a commitment in their 2020-2022 improvement plan to investing in the Intensive Level workforce. These are the council officers and operational managers who are most likely to identify and have further discussion with their managers about whether an Initial Case Review (ICR) (at appendix 1) notification should be made.

The absence of any notifications since the implementation of adult support and protection despite a current policy being in place suggests that there is poor understanding of the purpose of and benefit of case review when necessary. This is recognised nationally and to support improvement the reason for the Scottish Government launching the National Interim Framework for Adult Protection Committees for conducting a Significant Case Review.

The overarching goal in this work is to ensure we are learning together in the context of a culture of continuous improvement focussing on learning and reflection around day-to-day practices, and the systems within which practice operates. To support the intensive workforce resource should be given to the cohort of Falkirk staff who were trained in the SCIE learning together methodology in 2019 and their colleagues yet to receive training. This further investment would include both more 3-day foundation courses for operational managers at senior and team manager level and training to allow development of a group of staff who would be accredited to carry out a review.

4.3 Governance and Local Protocol for managing SCR process

The national framework outlines that Adult Protection Committee's should develop their own local operating protocol for handling including identifying who has delegated authority to receive an ICR notification, instruct further information gathering and make a decision on whether to proceed to SCR. The CCGC are asked to note the key elements of what is proposed in our local protocol which is listed below for the Chief Officers Group's overall consideration, comment and approval.

- Adult Protection Lead Officer (LO) has delegated authority to receive ICR notification.
- ICR notifications are considered by LO and APC Independent Chair to consider whether criteria is met
- LO requests and receives single agency ICR reports
- LO will share single agency ICR reports and LO constructed multiagency chronology with SCR Panel prior to panel date.
- APC Independent Chair will advise COG of SCR Panel decisions made and rationale.

It is suggested that SCR Panel membership is discussed and agreed at notification stage. It is recommended that this is a flexible group taking account of the facts of the case. This will both ensure the right people are involved and will create a greater diversity of involvement and commitment to the process across Falkirk.

The APC Independent Chair will not be part to the multidisciplinary SCR Panel to allow for an independent casting vote when the panel can not agree whether or not to progress to SCR.

There should be several potential outcomes and a tiered approach adopted by the SCR Panel to allow for proportionate responses to each case. This will also ensure that the pace of improvement is not delayed and the level of scrutiny is right.

5. CONCLUSION

This projected work will provide assurances that comprehensive systems are in place to review the support and protection of adults at risk of harm and assurances that the necessary knowledge and skills are present within the local workforce to carry out such reviews. An update from the COG shall be provided to the CCG in future.

Submitted by:

Sara Lacey, Chief Social Work Officer

Author: Gemma Ritchie, Adult Support and Protection Lead Officer

Date: 20/02/20

List of Background Papers:

Appendix 1 - Initial Case Review Initial Case Review Process

APPENDIX 1: Initial Case Review Process

