

## PERTH AND KINROSS ADULT PROTECTION COMMITTEE

Minute of Meeting of the Perth and Kinross Adult Protection Committee held in Room 410, Fourth Floor, Council Building, 2 High Street, Perth on Friday 26 August 2011 at 10.00am.

- Present:** S Hunter (Independent Vice Chair), Edinburgh University  
K Frew, Service Manager, Perth and Kinross Council  
Detective Chief Inspector C Gall, Tayside Police  
M Notman, Interagency Adult Protection Co-ordinator, Perth and Kinross Council  
B Nicoll, General Manager, Perth & Kinross CHP  
V Angus, Specialty Manager, Mental Health Services, Perth CHP  
S Rodger, Legal Manager, Perth and Kinross Council
- In Attendance:** N Gibson and F Cole (both Perth and Kinross Council for Items 1-6); J Somerville, Chief Executive's Service.
- Apologies:** A Davidson, Convener, F Bannister, J Gilruth, H Nisbet, A Stewart, C Thomas and L Thomson

*S Hunter, Vice Convener, in the Chair*

### 1. WELCOME AND INTRODUCTIONS

The Vice Convener welcomed all members and thanked them for their attendance at the meeting.

### 2. MINUTE OF PREVIOUS MEETING

The minute of meeting of 20 May 2011 was submitted and approved as a correct record, subject to the following amendments:

- |          |   |
|----------|---|
| 5 (iii)  | Delete reference to John Scapa and insert George Kappler  |
| 8 (viii) | Delete: J Gilruth suggested that he would contact the Scottish Government in order to seek permission to use excess Biennial Report funding for the advertisement ( <b>ACTION: JG</b> ).<br>Insert: With reference to the use of excess Biennial Report funding for the advertisement, J Gilruth agreed to make further enquiries with the Council's finance section ( <b>ACTION: JG</b> ). |
| 15       | Delete all reference to Item 15 Supporting Children and Young People at Risk of Self Harm and Suicide – Tayside Multi-Agency Guidance.  |

*K FREW JOINED THE MEETING AT THIS POINT*

### **3. MATTERS ARISING**

There were no matters arising

### **4. SUB-COMMITTEE MINUTES FOR NOTING**

The following Sub-Committee minutes were submitted and noted.

- (i) Minute of Adult Protection Committee - Adult Support and Protection Operational Sub-Group Meeting of 1 June 2011.
- (ii) Minute of Adult Protection Committee – Information, Management and Audit Sub-Committee Meeting of 23 June 2011.
- (iii) Minute of Adult Protection Committee – Training Sub-Committee of 21 June 2011.

The following comments were made during the noting of the above minutes:

B Nicoll referred to the final bullet point in Adult Support and Protection Operational Sub-Group Meeting Item 8 (Action Plan for Mrs M) and reported that NHS Tayside representatives had met with the three Adult Protection Committee Chairs and it was now anticipated that these meetings would be convened regularly. He noted that an important action point from the initial meeting had been the recognition of the need for agreement on how to recognise adult protection issues. He added that two main issues for the NHS were 1) how we investigate 2) referrals not coming through despite training. K Frew mentioned the need for a link at operational level and B Nicoll suggested the cascading down of the results of discussion with Committee Chairs, including working out how issues needed to be handled. The Vice Convener reported that this matter could be returned to later in the meeting.

M Notman referred to the Adult Support Training Sub-Group minute and reported that the next significant training would be relevant to sexual relationships and that this would be rolled out from Angus. It was also reported that in terms of professional record keeping, guidance was due to be finalised. In response to a question, K Frew agreed that improvements in professional record keeping were required especially in terms of records being relevant to the readership. Detective Chief Inspector C Gall referred to the limited impact on outcomes and there being a need to identify the 'bit in the middle'. V Angus agreed and noted the need to develop an integrated approach.

In response to a question regarding 3.4 Membership relevant to the Training Sub-Committee minute, M Notman reported that attendance had been greater at the following meeting.

## **5. MINUTE OF ADULT PROTECTION COMMITTEE CONVENER GROUP – QUARTERLY MEETING WITH SCOTTISH GOVERNMENT OF 4 MAY 2011**

The Minute of Meeting of Adult Protection Chairs with the Scottish Government of 4 May 2011 was submitted and noted.

## **6. CASE STUDY**

K Frew introduced F Cole, Social Worker and N Gibson, Contracts Compliance Officer Perth and Kinross Council to the Committee.

F Cole and N Gibson presented the Case Study relevant to a recent investigation by Social Work Services. During the presentation, reference was made to:

- Background and timeline
- Initial enquiry
- The care provider and extent of their investigation
- Concerns regarding timescales
- Supplementary enquiry
- Ongoing issues
- Who information is shared with.

During the discussion that followed several points were raised including:

- Confirmation that regular and enhanced monitoring would occur as a result of the investigation
- The need for training to be supported by monitoring
- The need for transparency and expediency in the sharing of information
- Without incident reporting there was an inability to benchmark.

Following further questions, Detective Chief Inspector C Gall advised of the importance of early referrals to the police in incidents of potential crime. He added that even if there was no crime, the police should be informed in the form of an adult protection concern report and noted that the police would have been able to investigate on behalf of the Council. S Rodger noted the need to take into account the wider public interest in any case.

The Vice Convener thanked F Cole and N Gibson for presenting the Case Study and noted the helpfulness of keeping partnership working foremost in the minds of members.

*F COLE AND N GIBSON LEFT THE MEETING AT THIS POINT*

## **7. ADULT PROTECTION THRESHOLD DEFINITION**

There was submitted a report (G/11/261) by M Notman, Adult Protection Interagency Co-ordinator, recommending that the Committee approve the agreed definition by Perth and Kinross to contribute to the discussion on a Tayside definition.

K Frew spoke of the work of the Tayside Sub-Group and the discussion of the issue of the threshold of harm in adult protection. She added that the Sub-Group had consulted widely including consultation with legal colleagues, community and mental health nursing and the police. She emphasised the need for a definition.

During discussion consideration was given to how much was gained from adding the third and fourth paragraphs as outlined in the paper. K Frew advised that the first sentence was the actual threshold and that there was a need for clarity. K Frew also referred to the three point test and B Nicoll advised that the aim was not for individuals to apply the test and Detective Chief Inspector C Gall suggested a significant increase in future referrals. B Nicoll again stressed that restricting the definition to the first two paragraphs would send out a very powerful message and push back boundaries.

The Committee agreed that the definition K Frew would take back to the Tayside Sub-Group would be the first two paragraphs as contained in Report G/11/261. K Frew confirmed that from an operational perspective this definition could now be used in Perth and Kinross and M Notman agreed to include this in the new guidance.

## **8. ANNUAL REPORT 2010-2011**

The Perth and Kinross Adult Protection Committee – Annual Report 2010-2011 (G/11/262) was submitted. M Notman advised that reporting to the Scottish Government was required biannually but that it had previously been agreed that the report be updated annually. She asked members for suggestions for inclusion. Reference was then made to:

- Reader friendliness
- Inclusion of statistics at page 9
- Analysis at pages 12-15 and inclusion of data from colleagues
- A questionnaire had been developed with an advocacy service – anticipation of improved feedback
- The need for the inclusion of health information
- The need for further cross-referencing.

Detective Chief Inspector C Gall noted that it was appropriate for there to be a focus on customer feedback. B Nicoll referred to the source of referrals and number of enquiries (page 9) and suggested that apart from police referrals, there appeared to be a lack of activity across the other agencies. In response, M Notman referred to the spread highlighted at page 27 and agreed to re-examine the data included in the table at page 9. B Nicoll also queried the data relevant to Community Mental Health Teams (CMHT) and M Notman again agreed to check the statistics (**ACTION: MN**).

K Frew noted the focus was on operational activity and asked if there should be a broader approach to include the work of the Committee and M Notman

agreed this and further suggested that information relevant to the workshop might also be included.

The Committee noted the position.

#### **9. ADULT PROTECTION INFORMATION – APRIL-JUNE 2011**

There was submitted and noted Adult Protection Information - April-June 2011 (G/11/263).

#### **10. ADULT SUPPORT AND PROTECTION – INTERAGENCY CO-ORDINATOR UPDATE REPORT**

There was submitted a report (G/11/264) by M Notman, Adult Protection Interagency Co-ordinator, providing the Committee with information on various activities, developments and progress.

M Notman made specific reference to

(iii) **National Public Awareness Raising – Television Campaign**  
From the 32 Scottish local authorities, 24 had joined the television campaign co-ordinated by Renfrew Council and that due to the number of councils involved, the cost per council had been reduced. M Notman confirmed that the advertisement was running during the last two weeks in August. In response to a question regarding running the advertisement on the Perth and Kinross Council website, M Notman advised that there might be copyright issues in this regard.

(iv) **Childcare / Adult Concern Links**  
In regard to the appendix attached to Report G/11/264, M Notman asked if it would be useful to undertake such an audit on an annual basis. K Frew noted the link with transition policy and of individuals already in receipt of services. She added that a proactive approach would be welcomed.

#### **11. STARVED OF CARE – MENTAL WELFARE COMMISSION REPORT**

There was submitted a report (G/11/265) by M Notman, Adult Protection Interagency Co-ordinator, outlining the content of the Mental Welfare Commission report *Starved of Care*. A copy of the *Investigation into the care and treatment of 'Mrs V'* was also circulated to members.

B Nicoll confirmed that NHS Tayside would present a report to the Committee on conclusion of the investigation.

The Committee noted the planned action in response to the publication of the Mental Welfare Commission report.

**12. GUIDANCE TO MULTI-AGENCY PROTECTION PARTNERSHIPS ON THE INVOLVEMENT OF GP'S – CONSULTATION DOCUMENT**

There was submitted a copy of a memo (G/11/266) providing members with a website link to a Scottish Government Consultation – Guidance to multi-agency adult protection partnerships on the involvement of GPs.

M Notman asked for comments and the Vice Convener noted some concerns regarding areas such as confidentiality and alignment to legislation. It was noted that the document had originated from the Scottish Government and not a professional body such as the BMA.

It was then reported that not all members had viewed the consultation document and thereafter agreed that an email would be sent to members requesting their comments by not later than 9 September 2011 (**ACTION: JS**).

**13. FORCED MARRIAGE ETC (PROTECTION AND JURISDICTION (SCOTLAND) ACT 2011)**

There was submitted a report by M Notman, Adult Protection Interagency Co-ordinator outlining the Forced Marriage Etc. (Protection and Jurisdiction) (Scotland) Act 2001 (G/11/267) which was due to be implemented later in 2011.

S Rodger noted that this was a low frequency / high impact issue and both an adult and child protection matter and the Vice Convener reported that legislation would be retrospective. M Notman advised that she was working with the Council's Legal Services to develop operational guidance and Detective Chief Inspector C Gall advised that the police already had guidance which could be shared with members (**ACTION: CG**).

**14. ANY OTHER COMPETENT BUSINESS**

**(i) Correspondence – Scottish Government: Mental Health Legislation and Adult Protection Policy Team**

A copy of a letter from the Scottish Government: Mental Health Legislation and Adult Protection Policy Team was tabled. M Notman advised that the letter outlined plans to undertake analysis of the experience of those who have been supported by the Adult Support and Protection (Scotland) Act 2001. It was noted that the research would be broken into two phases and that a project board had been established to guide the project.

**(ii) Shocking State of Care for Vulnerable Adults Revealed**

British Association of Social Workers (BASW) report was tabled for information.

**(iii) Practice Review Group**

K Frew advised that John Gilruth had requested the establishment of a Review Group to examine a situation which had arisen as the result of a complaint. She advised that the service user was now deceased but that it was felt that lessons could be learned from any investigation. K Frew added that there may also be another case which could be referred to the Review Group.

It was noted that police would chair this group and health representatives should also be involved. Detective Chief Inspector C Gall suggested that procedures should mirror that of those used in the arena of child protection. K Frew confirmed that a follow-up report would be submitted to the Committee at a later date.

The Committee agreed that a Practice Review Group be established.

**(iv) Scottish Government**

M Notman reported that the Scottish Government had commissioned SALT (Speech and Language therapy) to produce and deliver training to service users to raise awareness of the Act. 12 practitioners across Scotland including 2 from Tayside had been trained. Funding was limited and only covered 2-3 training sessions which had already been delivered. Alison Penlowski had offered to attend the next Adult Protection Committee to give a presentation. It was agreed that MN should invite her **(ACTION: MN)**

**15. DATE OF NEXT MEETING**

4 November 2011 at 10.00am.