

ANGUS COUNCIL

SCRUTINY AND AUDIT COMMITTEE – 27 OCTOBER 2022

ANGUS ADULT PROTECTION COMMITTEE SIGNIFICANT CASE REVIEW (SCR) P19

REPORT BY MARGO WILLIAMSON, CHIEF EXECUTIVE, ANGUS COUNCIL

ABSTRACT

This report presents the progress being made against the Angus Adult Protection Committee (AAPC) [Significant Case Review \(SCR\) P19](#) Action Plan since the report submitted to Scrutiny and Audit Committee on 25 January 2022 (Report No [18/22](#) and [Appendix](#)). It notes the subsequent formation of a Commission, as instructed by the Scottish Government, composed of Healthcare Improvement Scotland and the Care Inspectorate for Independent Assurance and Improvement Support, and the work undertaken with the Commission. Adult Protection Committees and Chief Officers have responsibility for commissioning SCRs and ensuring any improvement actions are delivered. There are 59 recommendations in the SCR report assigned to a range of agencies including Angus Council and Angus Health and Social Care Partnership (AHSCP). This report highlights progress against the improvement actions in respect of these recommendations.

1. RECOMMENDATIONS

It is recommended that the Committee: -

- (i) notes the contents of this report;
- (ii) scrutinises and comments on the AAPC SCR P19 Action Plan and progress being made as detailed in this report and Appendices, with particular reference to the Angus Council and Angus Health and Social Care Partnership Improvement Actions;
- (iii) notes that the Commission comprising Healthcare Improvement Scotland and the Care Inspectorate for Independent Assurance and Improvement Support, have advised that they are satisfied with progress and are confident in the AHSCP's ability to complete their improvement actions and have noted good progress with Angus Council's improvement actions; and
- (iv) agrees that the scrutiny of the SCR P19 report and progress with the Action Plan returns to the Angus Chief Officers' Group (COG).

2. ALIGNMENT TO THE COUNCIL PLAN

This report aligns to the following strategic priorities identified in the Council Plan: -

- (i) To maximise inclusion and reduce inequalities.
- (ii) Communities to be strong, resilient and led by citizens.

3. BACKGROUND

3.1 The details relating to the circumstances of the death of an adult in Angus, known as P19, are thoroughly narrated in the Significant Case Review (SCR) report. Following P19's death, the Angus Adult Protection Committee (AAPC) received a request from Angus Health and Social Care Partnership (AHSCP) asking that consideration be given to conducting a review of the case on the grounds that P19 was in receipt of services, subject to an Adult Support and Protection Plan, and that there was an apparent opportunity to learn and improve services.

3.2 Following completion of an Initial Case Review (ICR), AAPC agreed that a SCR was deemed necessary to explore the case in depth. The family of P19 remained involved and informed

throughout the SCR and all partners were grateful for their engagement and support for the process.

- 3.3** The SCR was progressed in compliance with the Adult Support and Protection (Scotland) Act 2007, with reference to the Tayside Multi-agency Guidance for Adult Support and Protection (updated 2019) and to the Interim National Framework for Adult Protection Committees for Conducting a Significant Case Review (2019). The anticipated outcomes recommended by the AAPC and approved by the Chief Officers Group were to:
- Identify any areas of good practice that should be developed and replicated in adult support and protection work.
 - Establish any learning from the case about the way in which local professionals and agencies work together to safeguard adults at risk of significant harm.
 - Identify any actions required by the AAPC to promote learning to support and improve systems and practice.
 - To determine whether any changes in practice were necessary to ensure that opportunities would not be missed to prevent avoidable tragedies.
- 3.4** A Terms of Reference was established for the SCR and Lead Reviewers were appointed from within AHSCP and NHS Tayside. Reviewers had no connection to the operational work involving P19 nor operational management responsibility for any of the services involved. Independent support was commissioned from an Independent Consultant.
- 3.5** The SCR report was published on 25 November 2021, with a number of briefing sessions offered to relevant groups, including Elected Members. As part of the preparation for publication, the report was also shared with Scottish Government in advance of publication to ensure awareness of the findings and recommendations.
- 3.6** As referenced above, a full multi-agency action plan is progressing to ensure that all 59 recommendations are progressed. This was reported to Scrutiny & Audit Committee on 25 January 2022 (Report No 18/22) and Committee agreed that it would receive a further report detailing progress against actions in Autumn 2022. This report provides that update. Within the list of recommendations, there are three specific actions for Angus Council and a range which relate to Angus Council's adult services provision as part of the AHSCP. The recommendations and progress to date are set out in Appendices 1 (AHSCP) and 2 (Angus Council). The Angus Council specific recommendations are:
- Angus Council should ensure that contracts with providers make explicit escalation responsibilities. This should include clear information to the provider on how to escalate concerns and who to escalate these to.
 - Angus Council Communities (housing) should develop clear guidance that provides the flexibility and governance required to ensure regular inspection of those properties where concerns have been raised on a regular basis.
 - Angus Council Communities (housing) should develop a protocol in relation to vulnerable people at risk requiring urgent housing that provides clarification on roles and responsibilities for vulnerable people requiring temporary housing. This should make clear who has responsibility to secure accommodation when housing have no accommodation available, and this should be made widely available to partners.
- 3.7** A Mandated Sub-Group (MSG) of the AAPC was established to oversee and govern progress reporting against the SCR P19 Action Plan. It has reported regularly to the AAPC, the Chief Officers Group and to senior management groups within NHS Tayside and Angus Council. It has also reported, within broader adult support and protection reports, to the Angus IJB. At the time of writing, the next MSG is due to take place on 23 September 2022.
- 3.8** The AHSCP has a monthly Adult Support and Protection meeting which oversees progress in a range of adult protection activity, including SCR P19.
- 3.9** The Scottish Government instructed that a Commission composed of inspectors from Health Improvement Scotland (HIS) and the Care Inspectorate (CI) be instituted to oversee the quality of improvement work against the Action Plan and to support progress. The role and remit

document for the Commission was made available to all involved agencies. Regular meetings have taken place between the Chair of the AAPC and the Commission members, there has been regular communication with the Chief Officers Group, and there have been meetings between Service Leaders and Heads of Service with Commission members. At meetings in August 2022 with the Commission, they advised that they were satisfied with progress and were confident in the AHSCP's ability to complete their improvement actions; they also noted good progress with Angus Council's improvement actions. Their intention was to report this to the Scottish Government.

4. CURRENT SITUATION

4.1 Work is ongoing across all services to progress the improvement actions. NHS Tayside has completed an internal audit of Adult Support & Protection (ASP) and is now working on an action plan. For example, an audit of Capacity Assessment was carried out in August; Police Scotland is progressing discussions with Crown Office & Procurator Fiscal Service (COPFS) in relation to recommendation 6.4 ("Police Scotland and NHS Primary Care Services to ensure that when reporting Sudden Deaths to the Procurator Fiscal, that they should include in their reporting procedures when relevant, that the Deceased was subject to Adult Support and Protection procedures at the time of death"); the AHSCP is progressing actions through the ASP Monthly Meeting, most recently on 6 September 2022 when further updates were made to the P19 progress report.

4.2 Capacity challenges are significant. Many of the action points are complex, require to be stepped, and involve a number of agencies agreeing to new methods and arranging changes to current practice. This process takes time; it is important that the need for these "stepped actions" (usually progressed via decisions made at meetings) is noted in summary in the Action Plan updates so that progress can be tracked.

4.3 Angus Council Housing actions update

An action has been identified in response to SCR Recommendation 5.11, to develop and implement an inspection protocol for properties where concerns have been raised. The protocol covers:

- Roles and responsibilities
- Communication of concerns
- Tenancy inspection & assessment of risk
- Professional disputes or disagreements

The protocol was agreed and implemented in August 2022. Briefings have been undertaken with staff on the protocol and how to record concerns and actions taken on the housing system. The next steps will be to monitor the implementation of the protocol on a quarterly basis.

There has been progress in respect of recommendation 5.12, which is that Angus Council Housing Service should develop a protocol in relation to vulnerable people at risk requiring urgent temporary accommodation. This specifies that there should be clarity about who has responsibility to secure accommodation when housing has no properties available, and that the arrangements should be made widely available to partner agencies. A number of policies and protocols have been implemented since the death of P19 that address this recommendation, including:

- The implementation of a revised Common Allocations Policy; the Policy sets out 'reasonable preference' obligations and which applications will be awarded a priority banding. The policy also sets out the Council's and Housing Association's powers to use 'discretion' where there are exceptional circumstances and a need for an individual to move or be rehoused urgently.
- The implementation of a Supported Housing Assessment & Allocations Policy. This Policy sets out the joint working arrangements for the assessment of applicants for supported housing, the handling of applications and the allocation of tenancies.
- The implementation of a Joint Adaptations Policy supported by guidance that sets out the approach to providing an adaptations service (including rehousing solutions) which

promotes joint working between relevant services and minimises delays by ensuring staff have appropriate decision-making authority.

- The implementation of Housing First – a model of rapid rehousing and intensive support for people who have complex needs that must be addressed alongside their homelessness.
- The implementation of a Housing Domestic Abuse Policy; supported by operational guidance, the policy sets out how the housing service will support women suffering from or threatened with domestic abuse. One of the key aims of this policy is to provide a range of housing options to meet the individual needs of victims/survivors of domestic abuse.
- Implementation of a revised Prison Protocol. The Protocol has been reviewed and it sets out how the housing needs of individuals from Angus should be considered on imprisonment, during sentence, and prior to and following release. Where homelessness cannot be prevented, the revised Protocol aims to secure permanent accommodation for individuals leaving prison, avoiding prison leavers entering the homeless system.

The revised temporary accommodation policy has been completed, shared with stakeholders and published online –

https://www.angus.gov.uk/media/temporary_homeless_accommodation_policy_Pdf

4.4 Angus Council Contracts with Providers - update

“Angus Council should ensure that contracts with providers make explicit escalation responsibilities. This should include clear information to the provider on how to escalate concerns and who to escalate these to.”

The contract relevant to the SCR was Home and Community Based Care and Support Services under Self-Directed Support (SDS) Option 3. Analysis of the contract established that reporting procedures were already in place for serious incidents, adults at risk and complaints, including who to report to and timescales. The provider followed those procedures, and throughout the SCR P19 Report, there were numerous references to good practice by the provider.

It was apparent that the escalation process was not an issue here, but in the interests of robust procedures and the health and safety of service users, it was agreed to audit a sample of other contracts and one grant agreement in addition to the contract in place relevant to SCR – P19 with a view to assess how they compare against industry best practice and other public bodies. Contracts for the following service types were reviewed: Care at Home; Supported Accommodation; Care Homes; other non-accommodation / non direct personal care. The grant agreement reviewed related to physical disabilities.

Assessment of the above contracts and grant agreement identified both good practice and areas for improvement including proposals to achieve improvements, as follows:

1. Establish an action plan to implement the contract/grant changes indicated in Appendix 2 to achieve best practice.
2. Angus Health and Social Care Partnership to consider developing a self-serve process to escalate concerns with the subsequent link being incorporated into future service specifications.
3. Interim escalation clause to be included in service specifications: *“Where the Provider has raised concerns with the Purchaser and these are not being addressed satisfactorily, the provider should escalate these concerns by contacting the Head of Community Health and Care Services by telephone on 03452 777 778 or in writing to Angus Health & Social Care Partnership, Angus House, Orchardbank Business Park, Orchard Loan, Forfar, DD8 1AN. The Provider should also escalate their concerns to a senior manager within their own organisation”.*

4.5 A progress report against the actions is provided in Appendix 2.

5. PROPOSALS

It is proposed that the Scrutiny and Audit Committee scrutinises and comments on the progress being made in relation to the AAPC SCR P19 Action Plan as detailed in this report and Appendices 1 and 2, with particular reference to the Angus Council and Angus Health and Social Care Partnership Improvement Actions.

6. FINANCIAL IMPLICATIONS

There are no direct financial implication for Angus Council arising from this report. However, the IJB has had to meet additional costs to strengthen resilience in teams managing Adult Support & Protection work due to sustained increases in demand over the last four years. A report (IJB Report [53/22](#) "Progress Report-Adult Support and Protection Additional Capacity") recommending the allocation of 23 new posts into the system, with costs of £0.65 million in the current financial year and recurring costs of £1million, was approved by the IJB on 24 August 2022. All of these posts were funded through Scottish Government funding streams for Winter Planning, Chief Social Work Officers Fund and Medically Assisted Treatment (MAT) Standards, along with Strategic Planning Reserves. This increased capacity will help to ensure the implementation on the changes required in the Action Plan as well as in the Adult Protection Improvement Plan.

7. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment is not required as this a report detailing the outcome of a review of a specific case, SCR P19, and progress against the improvement actions required.

REPORT AUTHOR: George Bowie, Head of Community Health and Care Services, AHSCP
EMAIL DETAILS: tay.angushscp@nhs.scot

List of Appendices:

Appendix 1 AHSCP Progress Report against SCR P19 Action Plan

Appendix 2 Angus Council Progress Report against SCR P19 Action Plan