

To: SOCIAL WORK (OPERATIONS AND SERVICES) SUB COMMITTEE		Subject: REPORT OF THE INSPECTION OF SCOTTISH BORDERS COUNCIL SOCIAL WORK SERVICES FOR PEOPLE AFFECTED BY LEARNING DISABILITIES
From: DIRECTOR OF SOCIAL WORK		
Date: 10 AUGUST 2004	Ref: MW	

1. PURPOSE OF REPORT / INTRODUCTION

- 1.1. To advise Committee of the publication of the Report of the Inspection of Scottish Borders Council Social Work Services for People Affected by Learning Disabilities (April 2004)

2. BACKGROUND

- 2.1. In June 2003, the Social Work Services Inspectorate was requested by the Minister of Education and Young People, to carry out an inspection into the social work services provided to people with learning disabilities by Scottish Borders Council. This was triggered by events in 2002 concerning a woman with learning disabilities who was hospitalised following very serious physical and sexual abuse. Three men were subsequently imprisoned for the abuse. While one woman featured in media coverage, a number of other people within the same social network experienced severe forms of neglect and abuse.
- 2.2. Within similar timescales, the Mental Welfare Commission conducted an investigation into the involvement of health services, with a particular focus on joint working between health and social work. In April 2004, a joint statement including recommendations from both the Social Work Services Inspectorate and the Mental Welfare Commission was issued.
- 2.3. As a consequence of the investigations the Scottish Executive is considering the need for Vulnerable Adults legislation, with a view to contributing to the protection of people who are at risk of abuse.

3. PROPOSALS / CONSIDERATIONS

- 3.1. The investigations concerned a number of individuals with complex difficulties including learning disabilities, mental health difficulties and physical disabilities. The investigations covered a thirty year period with the primary focus on recent years.
- 3.2. The vulnerability of the people and the high risk of serious sexual and physical abuse was first noted in the 1970s. The abuse took various forms including sexual, emotional, physical and financial.

3.3. Both investigations highlighted a number of significant failings on the part of agencies whose primary responsibility was the protection of vulnerable adults. Central to these failings was a failure to respond effectively to repeated occurrences of abuse. This was in part due to a fundamental misunderstanding of the balance to be drawn between protecting vulnerable people from abuse and their rights to self determination.

3.4. Both social work practice and management failings were identified. In relation to practice the following was noted:

- a poor standard of formal assessment
- a poor standard of recording
- an uncoordinated approach to assessment, service provision and monitoring
- resources fell significantly short of assessed need
- an inconsistent approach to risk management
- no care and protection plans
- a lack of knowledge and understanding of the provisions of statutory interventions

For management failings the following were noted:

- a lack of performance and quality assurance monitoring
- infrequent formal supervision of front line staff
- a failure to promote a culture of individual professional responsibility
- ineffective management of individual poor performance

3.5. Recommendations from the investigations included:

- improved staff training
- clearer management accountability
- quality assurance
- more effective joint working
- legislative change for the protection of vulnerable adults

4. NORTH LANARKSHIRE COUNCIL POSITION

4.1. The Social Work Services Inspectorate is clear in expecting that the recommendations will have an impact upon all councils. North Lanarkshire Council Social Work has recently developed procedures on the Protection of Vulnerable Adults on a multi-agency basis. These are comprehensive and embrace specific recommendations from the report, including the need for staff training/development. However, the report cautions against expecting procedures alone to protect people. It will require staff training and development around the complexity of adult protection, the successful implementation of procedures on a multi-agency basis and the exercise of management responsibilities / leadership to ensure that vulnerable people are protected. A range of work currently taking place will also provide opportunities for addressing the issues identified within the inspection. This includes:

- a departmental review of assessment and care management arrangements
- implementation of performance management arrangements
- implementation of the Employee Development Plans (in addition to the existing staff supervision arrangements)
- a departmental Review of the Mental Health Officer Service
- arrangements for improved joint working as part of the Joint Future policy.

5. FINANCIAL / PERSONNEL / LEGAL / POLICY IMPLICATIONS

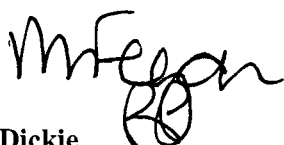
5.1. This investigation has highlighted the need to consider whether legislation is required to ensure the protection of vulnerable adults. In the interim, the Scottish Executive has indicated that Local Authorities should have arrangements in place for supporting vulnerable adults in risk situations and for investigating allegations of abuse. As outlined, work has taken place to progress this within North Lanarkshire.

5.2. There are no specific financial / personnel / legal implications at this time.

6. RECOMMENDATIONS

6.1. Committee is asked to

- note the contents of the report
- request the Director of Social Work to provide a progress report on the implementation of the Protection of Vulnerable Adult Procedures in North Lanarkshire



Jim Dickie
Director of Social Work
15 July 2004

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