

## **EAST AYRSHIRE COUNCIL**

**SOCIAL WORK COMMITTEE : 24 MARCH 2005**

### **IMPLICATIONS FOR EAST AYRSHIRE COUNCIL OF “THE REPORT OF THE INSPECTION OF SCOTTISH BORDERS COUNCIL SOCIAL WORK SERVICES FOR PEOPLE AFFECTED BY LEARNING DISABILITIES”**

#### **Report by the Executive Director of Educational and Social Services**

#### **1. PURPOSE OF REPORT**

- 1.1 To advise Committee of the implications for East Ayrshire Council of the “Borders Report”.
- 1.2 To seek approval of the actions determined to meet the report’s recommendations.

#### **2. BACKGROUND**

- 2.1 A report has been published by Social Work Services Inspectorate prepared by the Inspectorate and Mental Welfare Commission.
- 2.2 The report was commissioned by the Scottish Executive following failures arising from multi-agency services to people with learning difficulties in the Borders. In the report it emerges that a woman, had been subjected to physical, emotional and sexual abuse over a number of years. Other individuals with varying degrees of learning disability, physical disability and mental health needs were receiving care in the same circumstances. Their needs were found to be largely neglected, to the point of becoming potentially life threatening for some.
- 2.3 During investigations it also became apparent that the principal victim, who had a learning disability, had been referred to various agencies including Social Work, Health and the Police over a number of years by individuals concerned about her care and treatment. The subsequent investigation identified that case records reflected that referrals had been made but not responded to appropriately.
- 2.4 The findings identified flaws in the system including lack of assessments, failure to investigate serious allegations of abuse, poor standards of case recording and poorly recorded supervision of frontline staff. Poor practice, training, management and reluctance to confront aggression were also identified as concerns.

#### **3. IMPLICATIONS FOR EAST AYRSHIRE**

- 3.1 There were 28 recommendations arising from the report largely relating to Borders Council but with a view to all local authorities considering and acting upon them.

- 3.2 It is anticipated that a multi agency group established at National level will shortly conduct an audit of the development and quality of local guidelines relating to the protection of Vulnerable Adults.
- 3.3 Failure to transparently address the recommendations of the Borders report would potentially:
- leave vulnerable people at risk of abuse and exploitation;
  - put the Council at risk of failing to meet it's duties as an employer under Scottish Social Services Council Code of Conduct;
  - be a financial risk to the Council through lack of proper monitoring of contractual services; and
  - leave the Council at risk of litigation for failure to carry out its duty of care.
- 3.4 **Protection is the key priority of Social Work in East Ayrshire.** We believe that we have structures and checks in place that would prevent the systematic failures reported in the Borders. We also have strong partnerships with other statutory and voluntary agencies through our Joint Future arrangements.

#### **4. ACTIONS TO DATE**

- 4.1 The content of the report has been discussed at senior and mid management level.
- Copies of the Borders Report will be distributed to all frontline staff.
  - Multi-agency Protection of Vulnerable Adult procedures has already been introduced and distributed to all frontline staff and our partner agencies.
  - A forum has been established where social workers can discuss, in relation to adults with mental disorder, issues of protection/legal intervention. The "Adults with Incapacity" Forum comprises of operational and strategic social work managers qualified and experienced in mental health issues together with representation from legal services.
  - Information sharing protocols have been agreed across Local Authority, Health and partner agencies
  - Social Work has worked in partnership with Internal Adult to review systems within community care.
  - The Council through the EAGER process and Social Work through our staff supervision systems have structures in place to support and develop frontline staff's understanding and ability to complete the social work task.

#### **5. THE NEXT STEPS**

- 5.1 The above actions provide a robust foundation for our practice, however we are not complacent and will take further actions to protect vulnerable people in our community.

5.2 We will review our administrative and IT systems to ensure they are effective in supporting the early identification of people at risk, and also the recording and processing of issues relating to vulnerable people.

5.3 Through programmes of continuous professional development we will further develop both new and existing staff skills in relation to:

- protection of vulnerable people
- risk assessment training
- potential to instigate legal intervention to protect vulnerable people through Mental Health Legislation

## **6. FINANCIAL IMPLICATIONS**

6.1 Nil.

## **7. LEGAL/POLICY IMPLICATIONS**

7.1 The Borders Report requires all local authorities to review their responses to vulnerable people in light of their recommendations.

## **8. RECOMMENDATIONS**

8.1 It is recommended that Social Work Committee:

- (i) agree the actions detailed in this report; and
- (ii) note the contents of this report.

**John Mulgrew**  
**Executive Director of Educational and Social Services**  
**4 March 2005**  
**Enc (0)**

### **LIST OF BACKGROUND PAPERS**

1. Investigation into Scottish Borders Council and NHS Borders Services for people with Learning Disabilities

For further information regarding this report please contact:  
Eddie Fraser, Community Care Manager, telephone: 01563 554825

**IMPLEMENTATION OFFICER: JACKIE DONNELLY**