



REPORT TO: COMMUNITY PLANNING BOARD 18 APRIL 2019

SUBJECT: PUBLIC PROTECTION GOVERNANCE

BY: DIRECTOR OF PUBLIC HEALTH, NHS GRAMPIAN

1. REASON FOR REPORT

- 1.1. To seek the Board's endorsement of governance arrangements for public protection in Moray, including child and adult protection.

2. RECOMMENDATION

- 2.1. **It is recommended that the Board endorses the proposed governance arrangements for public protection in Moray.**

3. BACKGROUND

- 3.1 The Chief Officers Group in Moray has agreed to broaden its remit to include wider elements of Public Protection beyond its current focus on improving outcomes for children and young people.
- 3.2 Public protection is a complex landscape with multiple legislative responsibilities as set out below which require careful navigation. What is not up for negotiation is the commitment of the Chief Officers to collaborate to protect children, adults and communities from harm.

Summary of Legislation:

- 3.3 ***Child Protection:*** National Guidance for Child Protection in Scotland provides a framework to support agencies and practitioners to understand and agree effective processes for working together to promote, support and safeguard the wellbeing of children. Child protection sits within the wider GIRFEC landscape, around which there are multiple pieces of legislation which inform, impact and make provision for the protection of children and young people.

- The Children (Scotland) Act 1995;
- The Children's Hearing (Scotland) Act 2011 and

- The Children and Young People (Scotland) Act 2014

All of the above is underpinned by the UN Convention on the Rights of the Child.

3.4 Adult Protection: There are multiple legislative responsibilities in relation to support and protection of adults of risk of harm.

- The Adult Support and Protection (Scotland) Act 2007
- The revised Code of Practice April 2014
- Adults with Incapacity (Scotland) Act 2000
- Mental Health (Care and Treatment) (Scotland) Act 2003

All three Acts have similar principals.

A person is considered an adult when they are 16 years of age or over. All legislation recognises the need to manage transitions from children's to adult services.

Discussion:

3.5 The aim of public protection is to reduce the harm to children and adults at risk. Public protection requires agencies to work together at both a strategic and operational level to raise awareness and understanding, and co-ordinate an effective response that provides at-risk individuals with the support needed to reduce the risk in their lives.

3.6 The Care Inspectorate have described areas with highly effective performance as ones were:

- Leaders provide strong direction and collective ownership of shared values for delivering the best possible outcomes.
- Strong scrutiny and challenge of performance
- Connections are made across relevant areas such as violence against women, Alcohol and Drug partnerships etc.
- Protection of vulnerable people is placed firmly at the centre of wider strategies to improve wellbeing
- Strong quality assurance systems which include systematic and rigorous self-evaluation using relevant Quality Improvement frameworks.
- Provide evidence of ongoing improvement
- Input from service users and carers

3.7 The evaluation report also highlighted the need for Chief Officers to have a direct link to the community planning partnership, local authority elected members and the health board. The Public Bodies (Joint Working) (Scotland) Act 2014 sets out that the Care Inspectorate have a role in the scrutiny of the integration joint board, the body by which social care and health services will be provided and commissioned, the

services provided under their direction and their strategic plans for quality standards.

Recommendation 1: The Chief Officer of the Integration Joint Board will become a member of the Moray COG.

- 3.8 Given the high level of restructure happening to drive efficiencies and integrate services, it is essential that roles and responsibilities for public protection and these interconnections are explicit. This attached **Appendix 1** seeks to set out those connections.

4. CONCLUSION

- 4.1. The Moray Chief Officers Group recognise the need to further strengthen arrangements to protect children as agreed through the recent Inspection process undertaken by the Care Inspectorate. They have also identified improvements against the inspection framework to support and protect adults at risk. Moray COG have acknowledged the potential to transfer learning from the extensive improvement activity in children's services. The areas for potential synergy have been identified as strategic planning, learning and development and quality improvement.
- 4.2. The Moray Chief Officers will maintain oversight of the public protection agenda ensuring that individual committees fulfil their duties whilst collaborating where it is most appropriate to do so.

Author of Report: Susan Webb
Chair, Chief Officers Group

With input from
Pam Gowans, Chief Officer of Moray IJB
Campbell Thompson, Divisional Commander, Police Scotland
Roddy Burns, Chief Executive, Moray Council
Susan Carr, Director of Public Protection, NHS Grampian
Graham Leadbitter, Chair Community Planning Partnership
Shona Morrison, Chair Integrated Joint Board
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Background Papers:
Ref: