

PE1418/H

Petitioner Letter of 10 July 2012

I agree with the Government's statement that statutory powers exist within adult support and protection legislation that should safeguard the vulnerable. What the Government does not seem to understand is that the decision to exercise these statutory powers is invested in a social work resource and in practice decisions whether or not to exercise these powers is taken by council officers who are not social workers. Thus the council can act to evade multidisciplinary investigation by not applying statutory process.

Adult protection committees are only involved if statutory process is invoked.

The Care Inspectorate does not act to investigate all incidents. If not invited as part of adult protection procedures they would simply await a report from the care provider before deciding if the incident merited investigation. This creates a circumstance in which council officers as senior managers of a social work resource, can collude with the care provider to evade investigation when both fear investigation could expose their own health and safety failures.

Even after an adult protection investigation has resulted in criminal charges the council can remove social workers from the process of reporting this incident to the Care Inspectorate. Only council officers in senior management posts in the social work resource are allowed sight of the care providers report. The harmed person's care manager is excluded from representation of the harmed persons needs assessment and care agreement. The Care Inspectorate receive a report from the provider in isolation in a system that does not represent the care agreement and needs assessment written by the social work care manager. Such action renders the role of the Care inspectorate meaningless.

It remains my assertion that the present system exploits vulnerable people harmed within care service provision.

I would welcome appearing in front of the Committee again to answer any questions that arise from my statements.

Katherine Alexander