

Public Questions received for the Adults and Health Select Committee – 7<sup>th</sup> March 2024

**Q.1)** “Why are ASC routinely accepting referrals from Surrey Police MASH Teams when the referrals do not satisfy s42 of the Care Act 2014 Adult at Risk criteria, leaving the Council with no legal obligation or power”.

**A.1)** “When Surrey Police wish to raise concerns about a vulnerable person to Surrey County Council Adult Social Care, they will do so using their “Single Combined Assessment of Risk Form” which is commonly referred to as a SCARF. Surrey County Council and Surrey Police worked together to develop the “Level of Needs for Adults” framework. The Levels correspond to possible powers or duties under the Care Act 2014 that the Police believe may apply to the person. Level 1 indicates they believe the person has no care and support needs, whilst Level 4 indicates that the Police believe the person may have care and support needs and is at risk of abuse or neglect, so there may need to be consideration whether there is a duty under the Care Act for an adult safeguarding enquiry. The SCARF is passed to the MASH team for consideration. If the matter is an adult safeguarding concern, then the Adult Social Care team at the MASH will decide whether the criteria in section 42(1) Care Act 2014 have been met. If they are, then there will be an adult safeguarding enquiry. The MASH team will triage appropriately and discharge statutory duties accordingly. We will not reject referrals and potentially leave adults who may have care and support needs at risk”.

**Q.2)** “In the December Select Committee, Item 6, para 21, Adult Safeguarding Update, discussed Information Sharing in adult safeguarding and confirmed that 4 yearly audits gave reassurance that there were no widespread issues with information sharing affecting the quality of adult safeguarding work.

- However, this does not appear congruent with ombudsman (PHSO / LGSCO / ICO) complaint responses which to the contrary flag that the Council are causing the public distress as a result of their failures to maintain accurate and complete records and that Social Workers are misleading the public when it comes to lawful basis for sharing data, that they are unfamiliar with UK GDPR and need training and regular checking.
- Social Workers have a professional standard to maintain people’s privacy and to work within the legislation. Yet important legislation such as the DHSC SHARE Consensus is not being considered and as a result members of the public are becoming victims of organisational abuse.
- SCARF reports are being routinely being accepted by the Council and processed to the NHS Trust going against the SCARF Handling requirements which forbid the sharing of the SCARF with anyone outside of the Statutory Safeguarding Authority and again as a result are causing physical and emotional harm to Surrey residents.

The NHS recognises the importance of the person experience and acknowledges the harm that results when a person feels they have been given a poor experience.

How is the Select Committee ensuring the data presented to them by the Council includes data from PHSO joint reviews, ICO recommendations, Customer Complaints, Service user feedback and is not "cherry picked" data?”

**A.2)** “All Surrey County Council staff responsible for processing of sensitive information receive Information Governance training as part of their initial induction, with an expectation that they participate in refresher training. This training covers comprehensive detail of processing of information under the Data Protection Act (2018), including the GDPR. Surrey County Council will comply with any PHSO / LGSCO / ICO investigation into individual complaints. We will carefully consider the outcomes and any resulting recommendations, so that we can apply any necessary learning.

Social workers are also required to comply with Social Work England professional registration requirements. If any members of the public are considered to be victims of organisational abuse, this very serious allegation would be investigated as part of our safeguarding procedures.

The procedure for sharing SCARF’s with the Local Authority are outlined within the Surrey Police Adult at Risk policy. The Policy and Procedures can be accessed publicly at the following link: <https://www.surrey.police.uk/SysSiteAssets/foi-media/surrey/policies/scarf---vulnerable-adult-referral-form-submission-procedure.pdf>. When information is received by Adult Social Care, it is scrutinised in line with Data Protection (2018), including GDPR requirements. If upon screening, the information within the SCARF does not fall within connection to social services functions provided by statutory requirement, the information contained within the SCARF is not processed further. However, the very serious allegation of ‘causing physical and emotional harm to Surrey residents’ will be investigated if such incidents are reported, in line with procedures.

Surrey County Council has robust reporting procedures in place to ensure appropriate elected member and senior officer oversight of complaints. Reports are produced using information from our casework/complaints management systems, which includes the outcomes of Ombudsman investigations”.

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**Q.3)** “Please can the committee identify how they are considering including service users who have had both positive experiences of person led care and those who have sadly become victims of organisational abuse (lack of person centred care) on select committees, panels and training events in order to fall in line with CQC expectations of improving the patient experience and person led care i.e. putting the person at the heart of everything that happens and respecting personal, informed choices.”

**A.3)** “The Select Committee principally commissions evidence to inform its scrutiny through Council and NHS professionals. These experts provide a wide range of evidence for the Members to consider including the views of services users and patients. Members bring the varied perspectives of their residents through their role as community representatives, with knowledge and understanding gained through their casework, and the Committee’s Scrutiny Officer will also provide research and analysis of topics to help Members to scrutinise their chosen topics.

As per the Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities Scrutiny members have access to regularly available sources of key information about the management of the authority – particularly on performance, management and risk and are given support to understand it. Additionally, this particular Committee utilises the local authority health scrutiny guidance to undertake its work.

To supplement this approach the Committee currently co-opts three district and borough council Members to offer their expertise from a local perspective. The Committee also has standing guests from Healthwatch Surrey, the Mary Frances Trust and the Surrey Coalition of Disabled People to offer service user and patient experiences and perspectives to its scrutiny and has engaged the Surrey Ethnic and Minority Forum in the past too to gain insight into the experiences of different communities in the county. Where possible, the Committee will take evidence directly from service users and patients as it did when undertaking scrutiny reviews into adult mental health services and health inequalities in Surrey. As a result of this system there are currently no plans to add any further co-optees to the Committee's membership".

**Trefor Hogg**

**Chairman of the Adults and Health Select Committee**

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