



**COUNCIL CABINET**  
**8 February 2017**

# ITEM 12

Joint Report of the Cabinet Member for  
Safeguarding and Children and Young People  
& Cabinet Member for Integrated Health and  
Care

## Appropriate Adult Service

### SUMMARY

- 1.1 All councils with children social care responsibilities have a duty to provide an appropriate adult service. The service is called off by the Police when they interview a child where no family member is available to act as an appropriate adult.
- 1.2 The People Directorate currently commission this service for the Council as a standalone arrangement.
- 1.3 Until recently the Council also commissioned an appropriate adults service for vulnerable adults too. i.e. people with mental ill health or learning disabilities who needed to be interviewed by the Police.
- 1.4 There is an opportunity to consider a jointly commissioned service with the County Council through the Office of the Police and Crime Commissioner.
- 1.5 It is envisaged that this approach shall provide economies of scale and continuity of service across the whole of Derbyshire.

### RECOMMENDATION

- 2.1 To approve the joint procurement with Derbyshire County Council, through the Office of the Police and Crime Commissioner, of a Derbyshire wide adults and children appropriate adult service.
- 2.2 To approve in principal the transfer of funding associated with the above as detailed in appendix 1.
- 2.3 To delegate oversight of the procurement process and transfer of funding to the Strategic Director for People services.

<b>REASONS FOR RECOMMENDATION</b>
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- 3.1 The Council must have a children appropriate adult service in place in the local area.
- 3.2 A joint service with the County Council would produce economies of scale and continuity, for Derbyshire Police in particular.
- 3.3 This joint arrangement would provide a stable adults and children appropriate adult service in city.

**SUPPORTING INFORMATION**

- 4.1 The Council has a statutory duty to put in place an appropriate adult service for children who may need to be interviewed by the Police in connection with a criminal or law and order issue. Sometimes family members or guardians are unavailable to act as the appropriate adult and attend interview, this is when a third party is required to attend such an interview. This safeguard was introduced by the Police and Criminal Evidence Act 1984 (PACE), to safeguard the rights of a child.
- 4.2 The duty on local councils to arrange an Appropriate Adult service is contained in the Children Act 1989.
- 4.3 Until recently the Council also commissioned an appropriate adult service for vulnerable adults who came into contact with the Police and needed to be formally interviewed, quite often young adults with learning disabilities or mental ill health. However, whilst the Councils responsibility for the children service is clearly laid out in statute, the equivalent is not the case for an adult's service.
- 4.4 Due to the financial constraints of the council, a decision was taken by Cabinet to no longer directly fund the adult service, in April 2014. However, due to the concerns about the efficient and effective functioning of the Police service, a compromise position was reached with the Office of the Police and Crime Commissioner (OPCC) to indirectly jointly fund an adult service for the city through that office.
- 4.5 Derbyshire County Council has continued to directly commission both a children and adult service throughout the period in question.
- 4.6 The activity levels for call outs for an appropriate adult to the service are significant as detailed below;

2015/16 Call Outs	City	County	Total
Children	449	538	987
Adults	870	1324	2194
Total	1319	1862	3181

- 4.7 The current children service in the city is procured on a callout basis and the average spend is £40,000 per annum. The service has been extended and comes to an end on 2 September 2017. The county appropriate adult services are also due to end and therefore this is an ideal opportunity to adopt a joint approach.
- 4.8 In order to bring some uniformity to the service and create some economies of scale it is considered beneficial that there is one service which covers the whole of Derbyshire. This would then be co-terminus with Derbyshire Constabulary boundary.

- 4.9 Derby City Council would contribute the current Children service expenditure to the arrangement. The annual average spend for the Children service is £40k.
- 4.10 The OPCC would contract manage the service and continue to provide both City and County Councils with the quality assurance and monitoring information required.

<b>OTHER OPTIONS CONSIDERED</b>
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- 5.1 To commission the children service independently as a standalone service

**This report has been approved by the following officers:**

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Olu Idowu, Head of Legal Services Alison Parkin Liz Moore Jayne Sowerby-Warrington Suanne Lim
<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Perveez Sadiq 01332 643550 perveez.sadiq@derby.gov.uk None Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 It is proposed that the existing spend on the current children service is the limit of any transfer to fund the new arrangement. The annual budget for this service is currently £40,000. The final transfer sum shall be based on tendered values and it is expected to demonstrate better value for money than the existing standalone arrangement due to efficiencies gained through a joint model.

**Legal**

- 2.1 The Council has a statutory duty to ensure a children appropriate adult service is in place in Derby under the Children Act 1989.

**Personnel**

- 3.1 None arising as a result of this report

**IT**

- 4.1 None arising as a result of this report

**Equalities Impact**

- 5.1 Children and vulnerable adults shall have somebody independent present to ensure their rights are protected. Interpretation services shall be provided by the Police where necessary.

**Health and Safety**

- 6.1 None arising as a result of this report

**Environmental Sustainability**

- 7.1 None arising as a result of this report

**Property and Asset Management**

- 8.1 None arising as a result of this report

## **Risk Management and Safeguarding**

- 9.1 The arrangement shall safeguard the rights of children and vulnerable adults whilst being interviewed by Derbyshire Police. The Council shall continue to discharge its statutory duty to provide an appropriate adult service for children.

## **Corporate objectives and priorities for change**

- 10.1 This report contributes to the Safe Derby priority where vulnerable people are put first and protected.