

TO THE CHAIR AND MEMBERS OF THE AUDIT COMMITTEE

SAFEGUARDING ADULTS PERSONAL ASSETS TEAM – RESPONSIVE REVIEW

EXECUTIVE SUMMARY

1. The Safeguarding Adults Personal Assets Team (SAPAT) is a relatively small service within the Directorate of Adults, Health and Wellbeing that aims to look after the financial, property and personal affairs of vulnerable adults in the community and in residential care who lack the capacity or family support to look after their own financial arrangements. The Team currently looks after 543 clients with 344 Appointeeship Cases and 160 Deputyship cases with 39 other cases such as power of attorney cases or those at application or relinquishment stages. In addition to these, there are 40 deceased individuals' estates that are being actively worked on. Total monies held by SAPAT on behalf of these clients has reduced to £7.2m as at 9th March, 2017 (down significantly from the £9.6m originally reported when this work began).
2. This report summarises the issues uncovered and progress made to date to resolve these issues after a review of the SAPAT . This report is a second update report on the progress of this substantial project and follows the original report made to the August 2016 Audit Committee. As such, it gives a brief overview of the original reported issue and a detailed progress statement on each item.
3. Overall SAPAT is in a substantially better position to that previously reported and a significant amount of work has gone into improving systems, processes and training to enable SAPAT to fulfil the team's aims and objectives. Major progress has been made in the following areas:
 - System configuration and usage. Cash handing has been brought within the system and the system has been set-up to automatically calculate charges for deputyships going forwards.
 - Data quality has been significantly improved within the system and data quality exception reports have been developed using the systems report generator.
 - Performance monitoring information is now routinely produced to enable the team and its workloads to be effectively managed.
 - Client relinquishment activities have successfully reduced the ongoing workload from 584 clients as at the date of the last update report to 543 clients currently. Whilst these activities continue, there are few other clients that can now be transferred and this drop in clients is expected to plateau out shortly.
 - Client inflow changes are embedding that mean there are now strict criteria in place under which SAPAT will accept new clients. A complex cases group has been launched to assess and deal with any issues and ensure

that the vulnerable individual is appropriately signposted to the help that they require. These activities have substantially reduced the take on rate of new clients.

- Team workloads have been re-distributed to balance out workloads in the case management of vulnerable clients. However, despite activities to reduce the number of clients within the system, numbers of clients per worker are still as high as 65 for some case workers, which remains higher than levels at other similar authorities.
- All financial transactions are now accurately reflected within the CASPAR system and are being reconciled to the bank transactions on a monthly basis. This includes historical transactions dating back to February 2016.
- Transport issues have been addressed and £204k of the £211k owed to the Council by clients as a result of transport related debt from the Living Ambitions contract has been successfully recovered. However, it is likely that the remaining debt will be written off.
- Exception reports to identify possible benefit related issues within clients' financial information are developed but are yet to be implemented. This delay is caused by the fact that data quality issues first needed to be resolved before these could be activated.
- Training has been delivered to SAPAT staff and benefits handbooks distributed to all to enable them to understand and look up benefit regimes so that client benefits can be assessed. Closer working with Financial Assessments has been implemented in order to share the wealth of knowledge that they have in relation to benefit regimes.
- Public Health funeral responsibility has been transferred to Bereavement Services successfully. Further work is being done by Internal Audit in this area to ensure that this service is fit for purpose. This is the subject of a separate internal audit.

4. Further work is still required in some areas. These include:

- The roll-out of exception report checking and case related supervision to ensure that lessons are learned from any mistakes in relation to benefit claims going forwards.
- Continuing the reduction in the number of clients managed by SAPAT and re-balancing workloads to reduce the number of clients managed by each caseworker to ensure sufficient time is available to deal with each client on a needs basis.
- SAPAT continues without a permanent manager in post after a recent recruitment exercise failed to attract a suitable candidate. Project management support continues. Audit support is being withdrawn with effect from 31st March, 2017 apart from support for exception reporting which is still to be rolled out fully.
- Internal Audit will perform 2 further reviews of SAPAT, the first in 6 months' time to ensure that the procedures are embedding and mistakes are not re-occurring. This will be followed up at year end by further testing.
- There is a need to now continue to work closely with social workers as much of the development will require social workers to complete assessments. There is some urgency for some clients, particularly around transport and their ability to continue to pay for lease cars. Management are aware of this urgent need and are seeking a resolution to prioritise some of these reviews. The SAPAT Manager post needs to be filled with a suitable candidate imminently. This role will be vital in making sure that SAPAT continues to improve and that changes made so far continue to be effective. Once in

place, the team can then be considered for restructure so that roles and responsibilities match those that the team now undertakes.

- 39 active cases need to be referred to the DWP for a recalculation of their pension credit guarantee payments with a further 67 requiring DWP clarification as to whether they need to be reassessed. Full explanations of this complicated issue are included in the main report.

EXEMPT REPORT

5. This is not an exempt report.

RECOMMENDATIONS

6. The Audit Committee is asked to note the progress of the audit review, summary issues within SAPAT and the progress made.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

7. Adult safeguarding is a fundamental part of the Council's remit. Whilst the Council does not need to provide a personal financial and personal affairs management service for vulnerable clients, it has chosen to do so to support its role in adult safeguarding.. Ensuring that the service is fit for purpose and operating effectively is critical to supporting adult safeguarding and ensuring that in providing this service, the Council complies with the Care Act and safeguards its most vulnerable citizens.

BACKGROUND

8. This report provides the Audit Committee with information on the outcomes from and progress of the joint Internal Audit and Adults work in SAPAT and allows the Committee to discharge its responsibility for monitoring the Council's exposure to risks.

OPTIONS CONSIDERED AND REASON FOR RECOMMENDED OPTION

9. Not applicable

IMPACT ON THE COUNCIL'S KEY OUTCOMES

	Outcomes	Implications
	<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Be a strong voice for our veterans</i> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	None
	<p>People live safe, healthy, active and independent lives.</p>	<p>SAPAT is part of the Adults, Health and Wellbeing Directorate who lead on Adult Safeguarding. The</p>

	<ul style="list-style-type: none"> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	<p>purpose of the SAPAT service is to contribute to financially safeguarding vulnerable individuals.</p> <p>Ensuring that the service is fit for purpose and operating effectively is key to ensuring that the Council complies with the Care Act and safeguards its most vulnerable citizens.</p>
	<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	None
	<p>All families thrive.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	None
	<p>Council services are modern and value for money.</p>	<p>Initial analysis of the SAPAT service is that it is neither modern nor value for money. Work is underway to ensure the service is modern and fit for purpose.</p>
	<p>Working with our partners we will provide strong leadership and governance.</p>	None

RISKS & ASSUMPTIONS

10. Failure to address governance and operational weaknesses within the SAPAT service exposes the Council to the following risks:-
- Potential reputational damage to the Council as a result of a failure to properly manage the affairs of vulnerable adult clients,
 - Potential legal litigation as a result of any failure to properly manage the affairs of vulnerable clients,
 - Potential financial loss as a result of the write off or non-collection of charges such as care fees (or other fees) and
 - Potential financial loss as a result of reimbursing clients who suffer a financial detriment as a result of a failure to properly manage their finances.

LEGAL IMPLICATIONS

11. Failure to implement a re-engineered process within SAPAT potentially causes a detrimental impact upon the reputation and business affairs of the Council and could possibly result in litigation should any vulnerable client be financially disadvantaged by any failure to properly carry out Appointeeship or Deputyship duties.

FINANCIAL IMPLICATIONS

12. Failure to implement a re-engineered process within the SAPAT service potentially causes a detrimental impact upon the reputation and business affairs of the Council and could result in a loss of income from clients or a cost to the Council to correct any detrimental financial impact caused as a result of failings in the SAPAT process.

HUMAN RESOURCE IMPLICATIONS

13. None

TECHNOLOGY IMPLICATIONS

14. A root cause analysis of the issues within SAPAT identified that a failure to properly implement a technological solution and a heavy reliance on alternative and manual systems to store data have been a significant contributor to the problems of the team.

EQUALITY IMPLICATIONS

15. The SAPAT service serves vulnerable adults with primarily protected characteristics, specifically older people, people with physical and mental health issues and those with learning disabilities. Due to the nature of the clients that the SAPAT service supports, these groups are likely to be disproportionately affected by the issues identified in this report.

CONSULTATION

16. There has been consultation with managers at the outset, throughout and at the conclusion of this review in order to ensure that the work undertaken and findings are relevant to the risks identified and are accurate.

BACKGROUND PAPERS

17. Safeguarding Adults Personal Asset Team – Full Report
18. Care Act 2014

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APPENDICES

Appendix 1 – SAPAT (Safeguarding Adults Personal Asset Team) Full Report

Simon Wiles
Director of Finance and Corporate Services

Internal Audit – Interim Progress Report (Report 2)

**SAFEGUARDING ADULTS
PERSONAL ASSETS TEAM
(SAPAT)**

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1. Introduction

1.1. The Safeguarding Adults Personal Asset Team (SAPAT) is a relatively small team in Adults Health and Wellbeing that handles a variety of things on behalf of vulnerable adults (clients). These services include:

- The management of client monies and benefits, usually as a Deputy¹ or as an Appointee².
- Distribution of cash to clients for personal allowances
- Payment of bills and care fees on behalf of clients
- The arrangement of client funerals (where no next of kin is available or the next of kin declines to arrange the funeral)
- Management of properties (land and buildings) belonging to clients and securing their properties and pets
- Management / safeguarding of personal valuable possessions

1.2. At the time of the last report, SAPAT was also responsible for the administration of public health funerals³ on behalf of the Council and the liquidation of any estates belonging to such individuals using this service, in order to pay for the costs of the associated funeral. This service transferred with effect from September 2016 to Bereavement Services as it was felt that this was a better fit for the service and enabled SAPAT to concentrate on what is felt is its “core business”. A separate review of the public health funerals element has been started with a view to ensuring that it is fit for purpose and integrates successfully with other work undertaken by Bereavement Services. This work is ongoing at the time of this report and is expected to be completed by June 2017.

1.3. SAPAT currently comprises 10.5 staff (FTEs) and has an overall gross budget of £356k. The service is currently overspending and this is mainly caused by the salaries of the project managers involved and costs for the support of Internal Audit Services. It manages the finances of 543 vulnerable clients (as at the date of this report) with 40 deceased client

¹ Deputyships are orders granted by the Court of Protection that allow individuals, or in this case the Council, to administer the financial affairs, benefits, wellbeing decisions and property of vulnerable adults with no or little capacity to undertake this role themselves. When acting as a Deputy, the Council must act in the best interests of the individual and must make an annual report to the Office of the Public Guardian about the administration of the client affairs. The Council is entitled to, and does, charge for these services and fees are set by the Court on application.

² Appointeeships are granted by the Department for Work and Pensions. The Council applies, on behalf of a vulnerable adult in receipt of benefits that lacks sufficient capacity to administer their own benefits, to the DWP to apply for, administer and receive benefits on behalf of the vulnerable client in order to pay for the care fees. There are no current charges for this service to clients although such a proposal is in progress.

³ Public health funerals are undertaken under the Public Health (Control of Disease) Act 1984. When a resident in Doncaster passes away outside of a hospital and there is no one else willing to pay, The Council makes the necessary arrangements for a public health funeral. Every attempt is made to find relatives to pass on the responsibilities to them. Where no one can be found and no insurance or funeral plan can be located, the Council pays for these funerals and will liquidate the estate of an individual to pay for, or at least contribute to, the cost of their funerals.

cases also still in progress.

2. Background

- 2.1. A full review of SAPAT and all its functions was launched in 2015/16 by the directorate with support from Internal Audit Services with a full case review of all managed cases to ensure that the correct benefits and care charges were in place. This work continued into 2016/17 with extensive support from project managers and Internal Audit to address issues raised as part of the original review.
- 2.2. This report is the second update report to be presented to Audit Committee and builds on the previous report from August, 2016.

3. Original Issues and Current Assessments

The last report on the SAPAT audit work was provided to Audit Committee in August 2016. The purpose of this report is to give an update on progress to date and highlight any further work and issues and the plans for addressing these. For ease, issues have been brought forward from the original report and an up to date assessment of progress and current risks has been given. Items in *italics* are a direct lift from the previous update report. Where new issues have been uncovered as part of the work undertaken, these have also been listed.

3.1. Inaccurate claims for benefits on behalf of vulnerable clients

The Originally Reported Issue

732 cases were reviewed, after removing funeral only cases, approximately 600 client financial reviews were required. In total, errors were found on 127 cases (21% of the cases managed). For all of the cases, the root cause was identified as a failure on the SAPAT services part to notify Housing Benefits and Financial Assessments of changes in income and savings levels and a poor understanding by SAPAT of benefit entitlements. This was further hampered by an inappropriately configured system with a lack of designed exception reporting.

Current Position (March, 2017)

All housing benefit related and care fee errors have now been corrected. DWP recalculations remain in progress. The nature of the adjustments are difficult to articulate. They are circular in nature – for example a recalculation of care fees because of a failure to notify the Financial Assessments Team of a change in income affects the amount of savings (capital) that a person has. This then in turn affects the benefits to which they are entitled. These cases are difficult to unpick and this is made more difficult by technicalities within the Pensions Credit system that allows the use of assessed income periods for those aged over 65. Where an assessed income period is in use, an individual may be still entitled to full pension credits despite having significant amounts of savings that would normally mean the client is NOT entitled to receive the benefit. (This is usually the case where there has been a substantial change in circumstances after the income was originally assessed by the DWP as part of their setting of the assessed income period). This has meant that cases assessments have been particularly long winded.

In addition to their difficulty, information needed to unpick these cases was not always available within SAPAT. (For some clients this was information held by those who previously looked after their finances such as RDASH, in other cases information which should have been available within SAPAT was not kept). In order to verify these cases it was necessary to contact the DWP to determine for each the date of any assessed income periods and the state of the client's finances at that time. The SAPAT Team is currently working through this information and liaising with the DWP on a case by case basis. This is expected to take several months to be fully complete. There are approximately 39 cases that are likely to be recalculated by the DWP and a further 67 cases that need further investigation by the DWP to determine the assessed income period information. It is likely that a proportion of these also need to be recalculated by the DWP.

Training has taken place for staff as appropriate to assist them in understanding their roles and responsibilities and benefit claim handbooks have been sourced in order to ensure that each member of staff has the latest benefit entitlement rules with which to assess their clients. Closer working with the Financial Assessments team will also ensure that any benefit claim anomalies are detected and addressed in future.

System changes to the CASPAR system have been necessary to ensure that information vital to any benefits claim is held centrally within the system by SAPAT. This has meant substantial amounts of work have been invested in bringing the system and its associated controls up to the required standard. Changes have been made to the system to

- Record all benefits in claim directly on the system using memoranda fields (previously the only way to record benefits was through their receipt but not all benefits are paid directly to the bank account and this change ensures that all benefits in claim are recorded for each individual client for use in their benefits assessments.;
- Record the last date of a benefits check made on a client's finances. Procedures will be introduced in May (with the completion of the first exception reports) to ensure that for each client, a full check on claimed benefits is undertaken every 6 months;
- Set up a series of workload and performance monitoring systems coupled directly into the main CASPAR database using PowerBI to give visual dashboard based information to support managers making decisions;
- Set up a series of reports that form the basis of exception reporting capabilities for the CASPAR system. No exception reports are available within the CASPAR system. Reports within the system's report generator have been created that when compared highlight potential issues within client benefit claims. An outside system has been created to facilitate this due to the lack of system functionality. Exception reports should be in use from May 2017 after checks have been made on all remaining missing data (these fields are required in order for the exception reporting facilities to work properly). Whilst these will not prevent inappropriate benefit claims, these will prompt reviews of any claims that could potentially, be erroneous.

3.2. Lack of training for SAPAT Staff

The Originally Reported Issue

Training for SAPAT staff has been sporadic with no clear focus on the managing client financial affairs. No training had ever been given on benefits claims or the benefits available. The Team had essentially been focussing on processing payments and personal allowances on behalf of client to the dereliction of other duties such as reviewing benefit entitlements or forward financial planning for the clients. It is clear from the review that caseloads managed by individuals were excessive and unmanageable and there has been a clear lack of management action to ensure caseloads and procedures were managed properly and at a safe level for the staff and clients involved.

Current Position

Training has been given to the team on housing and other benefits by the Financial Assessments Team. In addition, each of the SAPAT members has been given a benefits handbook as a reference guide to ensure that they are aware of all benefits and the different thresholds that are applicable to each benefit type. Support is now available through closer working with the Financial Assessments Team to identify any benefit anomalies.

Supervision elements need to be introduced to check on a monthly basis a series of client files to ensure that the required data is present and ensure that the benefits and care fee levels are appropriate. It is anticipated that this will be introduced at the same time as exception reporting elements and will be used to unpick training and other issues within the team to make sure that benefit claims and other financial arrangements are appropriate for the client. Whilst there are some supervision meetings taking place, these will be significantly improved with exception based data that can be reviewed and discussed with the case worker.

Further reviews of the case management of the team will be checked during 2 additional scheduled internal audits in 2017/18 and the results of these will be used to ensure that any necessary learning is embedded.

3.3. Lack of a suitable system to manage case work

The Originally Reported Issue

In April 2015, a new system CASPAR was installed and brought on line to replace a series of spreadsheets maintained for each client being managed. The system was purchased following a procurement exercise.

The system CASPAR was installed by ICT, however, the configuration of the system was left to the SAPAT service. Training provided by the software house was poor and it is clear from our examination of the system and its setup that it was improperly configured with insufficient consideration given to most elements of the team's role (beyond basic transaction processing on behalf of the vulnerable clients).

Current Position

The CASPAR system has been completely overhauled and this work is now largely completed. Information that was previously contained within spreadsheets across the SAPAT s drive (network) should now be storable within the CASPAR system. The major changes have been:

- The introduction of benefit markers with the system to record the benefits in payment and the dates of the last full benefits review;
- The re-categorisation of client expenditure to match those required by the OPG so that annual reports required by the OPG can be calculated automatically using the system. These reports are now usable for all individuals for which an OPG annual report is required;
- The introduction of further client categories to track the progress of cases referred to SAPAT but awaiting legal permissions and those in the process of relinquishment;
- The re-classification and recording of items of substantial property and other financial assets within the CASPAR system to ensure that they are properly available for exception reporting and benefits assessments;
- The bringing on line of the CASPAR cash handling elements so that cash paid to clients on a weekly basis is calculated and recorded within the system as a regular payment, automatically generated by the system. Previously this done using a spreadsheet outside of the system with transactions being manually entered into the system.

3.4. Data quality issues

The Originally Reported Issue

In addition to the above configuration problems, data quality problems also hamper the performance of the CASPAR system and the SAPAT service. Data was migrated from spreadsheets to the CASPAR system manually with some additional information being transferred into the system by data upload from CAREFIRST. Data within the system is incomplete and in some instances out of date.

Current Position

Some data quality issues remain within the system but work is underway to check that all required data has been correctly entered into the system ahead of the launch of the exception reporting functionality in May 2017. The following has been completed to ensure that data quality is improved within the system:

- Missing dates of deputyship court orders have been found and entered onto the system (these are important to predict OPG reporting requirements and are necessary for the proper billing of OPG and other deputyship fees);
- Client addresses have been updated to ensure that they reflect the current location of the client, even when this is in hospital etc. New classifications have been introduced to identify whether the accommodation is respite or hospital, rented accommodation or owned in order to facilitate the necessary exception reporting on these elements.
- Missing financial assets from the system have been populated within the system to enable the correct charging of fees and proper monitoring of a client's financial assets and bank accounts. Many were previously missing from the system or were misclassified within the system hampering the systems automatic processes;

- Poor quality records on client's personal possessions were cleared and replaced within the system and now show a true record of the individuals' personal property and its stored location. As a result, many items have been either passed back to the client at their current location or liquidated and added to their financial assets (whichever was deemed in their best interests).
- Case notes are now being used within the system to record all material decisions made for a client and any consultation made on those decisions. General notes fields are also now in use but further work is required to ensure that everything required is now being recorded. Supervisory checks will ensure that the notes are being made in line with required policy; and
- Exception reports have been produced to identify missing fields for management supervision purposes.

3.5. Failure to follow the Financial Procedure Rules / inappropriate charging mechanisms

The Originally Reported Issue

There were no procedures held by the team for their different functions. The only procedures available to follow were the CASPAR user manual (which details how to use CASPAR only). This, coupled with the poor set up of the CASPAR system had led to a situation where charges payable by clients were billed using manually typed invoices that could not be traced or reconciled to actual payments received due to the fact that record keeping within the team on this issue was poor. It is not clear whether all debts were billed or whether all debts billed were actually received / collected. This process was in use for both funeral bill payments and for charges for deputyship management fees.

The CASPAR system is capable of automatically generating and billing charges to clients, however, this part of the system was never configured.

Current Position

Procedures for the team are still being written to reflect the various changes introduced throughout the team. Some procedures are complete but recently introduced changes such as those with cash handling and exception report are not yet developed. The systems automated charging module has been brought on line to calculate charges and now that the majority of the data quality errors have been corrected this system is producing the results expected of it.

The system now charges for an annual report as per the deputyship fees set by the OPG when a report has been run within the system. The remaining annual charges are being run manually until April 2017. This is a deliberate date. Financial transactions within the system from the Lloyds bank account system started in February 2016 (with the first full month being March 2016). A full year of data within the system is necessary for the charges system to work properly. Transactions need to be reconciled within the system before the charges can be run hence the required delay in the launch of this system element. When launched, these annual charges will automatically allocate to the clients account and a report will be produced for upload into the banking system to generate the financial transactions with the bank to match those done automatically on CASPAR.

3.6. Poor reporting and performance management

The Originally Reported Issue

Whilst the CASPAR system has a report generator, capable of writing custom reports using a report writer, no reports had been set up with which to monitor or control operations. No exception reports were considered or set up within the system and inbuilt reports such as the OPG Report (designed to send to the OPG annually to record spending made on behalf of Deputyship cases) were ineffective due to poorly configured expense reporting options.

There was no single management view of the number of cases being managed or the case loads of individual case workers. Case workers were holding up to 80 complex cases each (those with simple cases their caseload exceeded 150 cases per case worker). This was due primarily to a failure on management's part to control in the influx of cases to manage. Whilst case numbers are reducing, the SAPAT service caseload remains exceptionally high.

Current Position

Performance management has been largely implemented within the team. Dashboards in PowerBI have been created for management use that graphically show the number of clients per category, the number of clients per caseworker, deceased clients by time lapsed since date of death etc. This has been achieved by coupling the dashboard designed directly to CASPAR's SQL server database. This information is used manage caseloads for workers, cross reference Care First to identify deceased clients and monitor data quality issues. This information is used to interrogate the data in real time and will form part of the new supervision arrangements going forwards.

Attempts have been made to re-balance the workload of all individuals. Whilst the team still bears more case work than other similar authorities, the risk in this area has been greatly reduced. This has been achieved by relinquishing cases to family (where they can be located) and the transferring of wealthy clients to a solicitor where their needs can be more easily met (investment decisions are required for wealthy clients in order to maximise their finances – this is not a specialism of the team and their needs are more appropriately met by specialist solicitors dealing with such deputyships).

Client numbers are at the lowest level for 3 years with significant amounts of effort expended on relinquishing appropriate cases and in clearing the backlog of deceased cases that the team need to discharge the estates for. This programme of relinquishment however, is coming to an end and case numbers are expected to stabilise around the 520 mark.

New cases are still coming through to the team but numbers are again greatly reduced after controls were added to the pathway for accepting new clients. (see the next section for further information).

3.7. Inappropriate referral mechanisms and a lack of a joined up approach with social workers

The Originally Reported Issue

Referral systems to refer vulnerable adults in need of support to the SAPAT service represented an “open door” with little recorded challenge to the appropriateness of the referrals being made. This has meant that most referrals made were taken on without question and has resulted in an unmanageable case load for the SAPAT service that is significantly higher than any other local authority in the area. This has meant that most clients are simply “transactionally” managed (paying bills and receiving income) rather than being financially managed in terms of financial planning and benefit assessments and has manifested in a failure in some cases to manage the clients affairs in the clients best interests.

Arrangements within the team to record the progress of any referrals were poor and this has resulted in complaints being received from the public and solicitors acting on their behalf.

Current Position

The referral system for SAPAT has undergone major changes since the last report. Strict policies have been introduced which mean that only those clients who have no family members to look after their finances, no monies to access solicitor based services or who are subject to safeguarding investigations are accepted by the team. This has meant that some individuals who have family but whose family are not willing to act on the individuals behalf, are being rejected by SAPAT criteria. These cases are being dealt with under a “Complex Case Group” that assesses the cases and determines the correct course of action for the individual case or signposts the social work to alternative sources of help for the individual. Care needs to be taken in this that the individuals are pushed into crisis by an inability to access funds in the intervening period. This will need to be managed closely to ensure that these changes do not result in increased risks in this respect.

Attempts are being made to improve the relationship with social workers and their understanding of their responsibilities in terms of SAPAT clients but this area requires further work. It is a generally held belief by social workers that SAPAT is the appointee / deputy for these vulnerable clients and that SAPAT is entitled to make the best interest decisions and other assessments for clients. This is not the case. SAPAT discharge the deputyship / appointeeship roles on behalf of the Council. SAPAT is not best placed to make all decisions for these individuals and cannot complete all required functions in isolation. For example, the government is moving away from Disability Living Allowance and is moving individuals to the Personal Independence Payments system. SAPAT is required, within a specified timeframe to apply for the new benefit giving details of the individuals care needs, capacity and disabilities. Assistance is required from social workers or care workers to complete these applications properly. Social worker time is not always available in the required timeframe which runs the risk that applications will be delayed to the individual’s detriment or will be of poor quality and financial disadvantage the client due to a lack of joined up working. Where these applications are received, extensions are being required for each case but this requires close monitoring to improve the situation and ensure time is available as and when required.

3.8. Poor personal and valuable asset storage

The Originally Reported Issue

Personal and valuable items are sometimes collected from properties when a vulnerable adult is admitted to care. These are currently stored at Copley House. All items are stored

in sealed and numbered bags and these bags are cross referenced against a client record in CASPAR. However, only the bag number is recorded on CASPAR and not the contents. When bags are opened for any purpose, they are sealed inside a new bag and the bag number updated on CASPAR. As CASPAR has no record of the contents of the bag, it is therefore unclear whether any items are missing or lost after the bag swap.

Current Position

Extensive work has been undertaken to address risks in this area. All items in storage have been reviewed and streamlined. Personal items have been returned to the client wherever possible or passed on to their families. Low value items have been disposed of and where appropriate other items have been disposed of via auction and the resultant monies added to the clients funds.

Some elements of the items in storage could not be traced to an owner. The majority of these items came in from care homes before they were transferred to the private sector and were mainly lost property items of jewellery. These were again disposed of via auction and the proceeds used to offset public health funerals that the team had (until September 2016) been undertaking on behalf of the authority.

Some items of personal property remain with SAPAT (these are mainly relating to the estates of the deceased), however, these are at much lower levels than previously maintained. These now fit into a locked cupboard within a secure area of the Civic Building with Copley House having been completely cleared. All items have been updated within CASPAR which now contains up to date information on personal items, their location and ultimately disposal. This has substantially reduced costs in the long term.

Revised procedures are now in operation within SAPAT to ensure that only valuable items are collected in future as many of the items in storage were low value items.

3.9. Complications caused by the banking transfer.

The Originally Reported Issue

In February, 2016 the Council changed banking provider from the Co-Op to Lloyds. The transfer had consequences for the SAPAT service. Whilst these could not be avoided, these have had an impact on the speed of progress for this project.

The transfer moved SAPAT clients from a "hard" account (an bank account with normal bank statements), to a "virtual" account (where all monies held by the Council on behalf of SAPAT clients are held in a single hard account with a virtual sub accounts and virtual electronic bank statements). It has now come to light that the extracts agreed by the bank and the CASPAR software house Trojan, are flawed in that transactions received (for example) in April but not identified and allocated to the correct client until June, are backdated on the banking extract and therefore show in CASPAR as an April transaction. However, they actually appear on the June client bank statement. This is resulting in difficulties in reconciling the CASPAR system to the bank statements for each client. Both the bank and Trojan are aware of these issues and discussions are underway to implement a workable solution.

Current Position

This process was difficult to resolve and required liaison with the bank and CASPAR. Reports from the bank had to be fundamentally redesigned to provide us with information

that could be relied upon for the OPG reports. Fundamentally, the information provided prior to September 2016, did not match the bank statements for the individual and had missing transactions on it. After the redesign, replacement reports back to February 2016 were supplied. However, the original transactions could not easily be removed from the CASPAR system. As a result, a piece of work was required to reconcile the data on the old and new reports to identify any transactions missing from the data that had been loaded into CASPAR covering the period February to August 2016. A separate upload was then manually created to ensure that the CASPAR system held all required information. All transactions are now imported to the system monthly and the reconciliations to expected transactions are complete and up to date. Checks are undertaken periodically to ensure that the total balance on the system matches the balance as per the bank statements.

3.10. Transport Payments

The Originally Reported Issue

In addition to the above issues, problems have surfaced regarding personal transport payments for approximately 90 vulnerable clients. These issues however are NOT caused by the SAPAT service. These are the result of poor management of the clients lease contracts by a third party provider (Care UK through their Living Ambitions arm). A historic problem relating to the billing of clients for transport charges by Living Ambitions resulted in the accumulation of transport debt for 90 clients. The team has worked with Living Ambitions to resolve these issues and bill individual clients for their own transport. This has caused delays in dealing with client financial reviews that are not the fault of the SAPAT service. Whilst the billing issues are now solved however, it has been identified that there are some clients that can no longer afford to lease a vehicle for their own use. The team is working with social work colleagues to commence reviews of the needs of any service user so affected to ensure that the arrangements put in place meet the needs of the client and are within the client's financial means going forward.

Current Position

Billing issues continued after the last update report with incorrect bills being received and bills not being made to each individual client as was previously agreed. This has been finally resolved and all bills are up to date and there is now an agreement in place to bill monthly in the name of each client from April 2017. In the interim period, and to avoid any monies accumulating in savings that could affect benefit entitlements, monies were transferred to a holding account and then adjusted to match final bills as they arrived.

Historically owed monies by the 90 clients have been largely recovered. These were originally paid for by the Council. £204k of the £211k billed has now been recovered from clients. The remaining debt is highly likely to be written off due to the fact that some of these individuals are now deceased and the estates have been discharged. Clear arrangements are now in place regarding the billing of vehicles and the Council will accept no further bills that are not in client names.

Urgent reviews remain outstanding for 8 clients who can no longer afford the transport methods that they are using. These are clients in supported living accommodation who usually share transport. Urgent reviews are required for these 8 clients and any other individuals that share the clients transport arrangements. This usually means that everyone living in that supported living accommodation needs to be reviewed together to come up with a workable transport plan for these individuals that they can afford.

However, this is likely to mean increased support hours are needed (increasing the social care bill) to ensure that individuals have access to public transport and the support worker to enable them to use it. These priority reviews have been escalated but at the date of this report remain outstanding.

4. Other Issues Arising

4.1. Staffing Issues

Senior Management has attempted to permanently recruit to the SAPAT Manager post. This unfortunately was unsuccessful. Project management support continues till at least June 2017 but the team requires a manager to take forward the embedding of new arrangements and ensure that going forward, SAPAT meets its aims and objectives. Options are being considered to fill the post moving forwards. The full team structure will then be reviewed to ensure it is fit for purpose.

4.2. Lasting Power of Attorney (LPA) Clients

In the past, several clients have, whilst they have capacity, opted using a Lasting Power of Attorney to nominate the Council to look after their finances after they lose capacity. There are currently 6 such clients with the Council. However, the “power” rests with the persons nominated on the LPA forms. In all cases, these are former employees of the Council, some having left several years ago. Work was required to locate all of these former employees and get them to relinquish their roles so that these powers so that the individuals could be transferred to appointeeships or deputyships. Legally, the power to deal with the finances of these clients, rested with the individual attorneys and not the Council. No further clients of this category will now be accepted to avoid any such issues in future.

4.3. Public Health Funerals

The responsibility for Public Health funerals was transferred to Bereavement Services with effect from the 1st of September, 2016 with all associated budgets following as appropriate. 1 member of staff was transferred from SAPAT to Bereavement Services to facilitate this. SAPAT now liaise with Bereavement Services when a client dies rather than commissioning their own funeral arrangements.

Risks associated with Public Health funerals have been transferred to Bereavement Services. As part of the required arrangements, the Council (through the Neighbourhood Response Team) searches the properties of those that die in the community without family or friends willing to take on the arrangements for the deceased’s funeral. Estates are liquidated to pay for any funeral with any shortfall being paid for by the Council. Due to the risks involved, a full audit on this area has been launched to ensure that processes transferred to Bereavement Services are fit for purpose.

4.4. Probate

As part of the previous banking arrangements with Co-Op, the Co-Op Bank had a probate department. When a SAPAT client died, their probate department would deal with the discharge of the estate to the next of kin. There are monies still within the Co-Op in respect of deceased clients but these are the responsibility of the Co-Op to discharge. However, since the transfer of the bank to Lloyds, this responsibility falls to SAPAT. This is due to the fact that the accounts for clients are virtual and are controlled solely by SAPAT

on behalf of the Council. This has meant that the Council has had to come up with discharge arrangements to pay over the estate of a deceased to the identified next of kin. In circumstances where the estate is valued at less than £10k, SAPAT will discharge the estate to the next of kin without the need for the individual to apply for probate (which can be a lengthy process). This is line with the procedures formerly used by the Co-Op Bank. If there are concerns about the next of kin or any potential family dispute regarding the executor of the estate, or the values are in excess of £10k, the family are required to apply to the courts for probate and present these legal documents before an estate is discharged. This has added further work to SAPAT but processes in this respect appear to be working well at this time.

5. Future Audits

- 5.1. Further follow-up work to ensure that the SAPAT project remains on track and addresses all remaining risks have been scheduled by Internal Audit Services at Senior Management request. These will be undertaken in June 2017 and March, 2018.