

West Lothian Adult Protection Committee's Learning Review Multi-Agency Procedure

Published March 2023

Revised March 2024

Review March 2026

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2. INTRODUCTION

- 2.1 Learning Reviews have replaced Initial and Significant Case Reviews.
- 2.2 Adult Support and Protection is an inter-agency and inter-disciplinary responsibility overseen by the Adult Protection Committee (APC). The APC, on behalf of the Chief Officer's Group (COG), decides whether a Learning Review is warranted and how the review is conducted including whether to commission an independent reviewer.
- 2.3 Where Learning Review cases have relevance to the work of other public protection committee's representation and involvement of these Committees will be considered throughout. Where appropriate, identified learning may be shared within wider strategic forums.
- 2.4 The purpose of a Learning Review is to bring together all key agencies and where appropriate individuals and family members to review and consider the circumstances where an adult at risk has died or has been significantly harmed or whereby there may be learning to be gained. By fully exploring the nature of the circumstances which led to the significant event for the adult. The process is underpinned by the [National Guidance for Adult Protection Committees Undertaking Learning Reviews \(2022\)](#).
- 2.5 Learning Reviews should be viewed in the context of a culture of continuous improvement and focus on learning and reflection around day-to-day practices, and the systems within which practice occurs.
- 2.6 Learning Reviews are not investigations. Separate parallel processes, with distinct purposes, may run alongside a Learning Review.

3. DEFINITION OF AN ADULT

- 3.1 For the purpose of this procedure an adult is a person over the age of 16. There may be exceptions for care leavers who were in receipt of aftercare or continuing care at the time of the incident that led to a Learning Review Notification. This will require consideration on a case by case basis. In these circumstances the Child and Adult Protection Committees determine which is the most appropriate to lead on a Learning Review, with agreement reached as to how each of the Committees will be involved and updated on its progress.

4. WHO CAN MAKE A LEARNING REVIEW NOTIFICATION

- 4.1 Any agency with an interest in an adult's wellbeing or safety can raise a concern about a case which it is believed may meet the criteria for a Learning Review and submit a notification to the Adult Protection Committee (APC) using the Learning Review Notification – Appendix 1.
- 4.2 Concerns raised by families and addressed through the relevant agency's normal complaints procedure could also trigger a Learning Review, where the agency considers the criteria for a review is met.
- 4.3 An APC will undertake a Learning review in the following circumstances:

- 1. Where the adult is, or was, subject to adult support and protection processes** and the incident or accumulation of incidents gives rise for reasonable cause for concern about how professionals and services worked together to protect the adult from harm, and one or more of the following apply:
- (i) The adult at risk of harm dies and**
- harm or neglect is known or suspected to be a factor in the adult's death;

- the death is by suicide or accidental death;
- the death is by alleged murder, culpable homicide, reckless conduct, or act of violence or

(ii) **The adult at risk of harm has not died but** is believed to have experienced serious abuse or neglect.

2. Where the adult who died or sustained serious harm was not subject to adult support and protection processes

- (i) **When the findings of an inquiry or review by another organisation or court proceedings, or a referral from another organisation** gives rise to reasonable cause for concern about lack of involvement in relation to the Adult Support and Protection (Scotland) Act 2007 or
- (ii) **The Adult Protection Committee determines** there may be learning to be gained through conducting a Learning Review.

5. HOW TO MAKE A LEARNING REVIEW NOTIFICATION

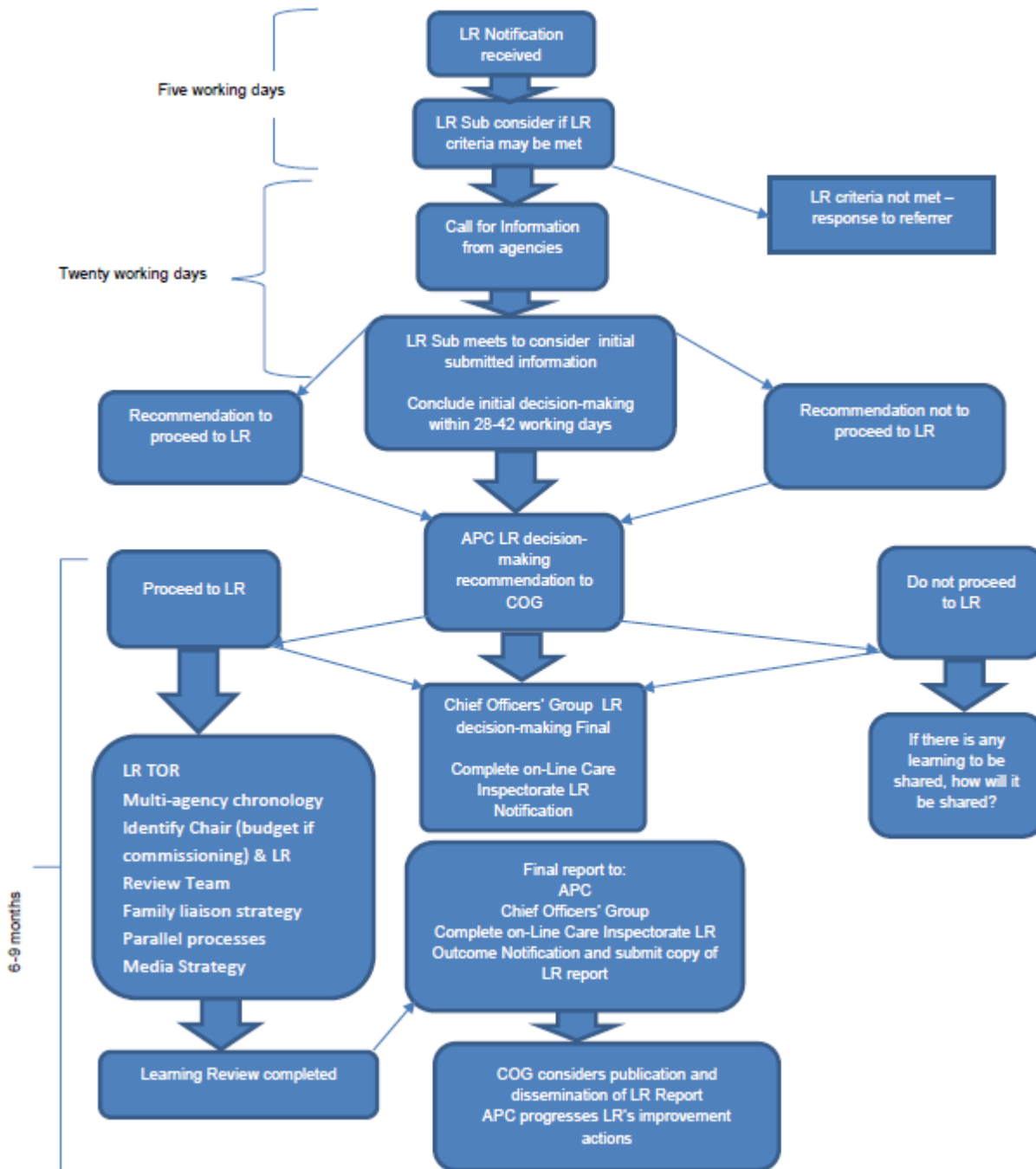
- 5.1 Complete the Learning Review (LR) Notification Form (Appendix 1) and send it via email to PublicProtectionAdmin@westlothian.gov.uk.
- 5.2 Upon receipt of the LR Notification Form, PublicProtectionAdmin@westlothian.gov.uk will acknowledge receipt and forward it to members of the LR sub-committee via email.
- 5.3 The LR sub-committee will consider within **five working days** whether the initial request indicates that the criteria may be met.
- 5.4 Where the LR sub-committee agrees that the criteria for a LR is not met, the notifying agency will be advised about the reasons for not proceeding with it.
- 5.5 Where the LR sub-committee agrees that the criteria for a LR may have been met key agencies will be requested to complete a LR Call for Information Report (Appendix 2) within **14 working days** and submit it to PublicProtectionAdmin@westlothian.gov.uk.
- 5.6 Members attend the scheduled LR sub-committee meeting. The Call for information report(s) submitted is/are considered against the LR criteria and a decision reached as to whether or not there should be a LR. If further information is thereafter required to inform this decision, this should be clearly recorded as an action from the minute of the LR sub-committee, including who will seek this information. A further meeting of the LR sub-committee should then be held no later than **10 working days** from this point.
- 5.7 The timescale for this initial decision-making stage will vary but every effort will be made to conclude it within **28-42 working days** from the receipt of the initial LR Notification by identifying an outcome recommendation – proceed to LR or detail the reasons for not proceeding.
- 5.8 The LR sub-committee will make a recommendation to the Adult Protection Committee.
- 5.9 The APC's recommendation will be submitted to the meeting of the COG. The COG makes the final LR decision-making decision.

- 5.10 Adult Protection Lead Officer will complete the [Care Inspectorate Learning Review Decision Notification Form \(Appendix 3\) - Adults](#) upon the COG's final decision-making to conduct a LR, or to detail the reasons for not proceeding.
- 5.11 Adult Protection Lead Officer will only complete the [Care Inspectorate Learning Review Outcome Notification Form - Adults](#) when a LR is concluded. A copy of the LR Report (Appendix 4) is also submitted to the CI.

6. LEARNING REVIEW DECISION MAKING PROCESS FLOW CHART

Key:

- Learning Review – LR
- Learning Review Sub-committee – LR Sub
- Adult Protection Committee – APC
- Chief Officers Group – COG
- Care Inspectorate – CI



7. UNDERTAKING A LEARNING REVIEW

7.1 Learning Review Preparation and Considerations:

- ❖ Establish a Learning Review (LR) TOR
- ❖ Appoint a Chair and if commissioning this resource agree a budget
- ❖ Establish a LR Team and membership
- ❖ Consider any Parallel processes
- ❖ Consider a family liaison strategy
- ❖ Involve key agency staff and hold practitioner focusgroups
- ❖ Chair of the Review Team and Reviewer present the LR report to the APC and COG for consideration and final decision-making sign-off
- ❖ COG agrees publication of the LR Report or not
- ❖ Agree a media strategy and communication plan for any known media interest and how to manage this
- ❖ A learning dissemination plan to cascade learning from the LR.

More detail about how to progress each particular aspect of the LR process referenced above can be found in the [National Guidance for Adult Protection Committees undertaking Learning Reviews \(2022\)](#).

8. ENABLING FACTORS WITHIN THE WIDER CONTEXT OF A LEARNING REVIEW

Chief Officers ensure that a sufficient budget is in place to resource the LR and recognise that Review Team members' commitment to the review is over and above their day-to-day work responsibilities.

9. Appendix 1 – Learning Review Notification

Any agency with an interest in an adult’s wellbeing or safety can raise a concern about a case which it is believed may meet the criteria for a Learning Review and submit a notification to the Adult Protection Committee (APC) using the Learning Review Notification.

This notification will be acknowledged and then responded to with the recommendation of the APC’s consideration of whether or not to proceed to a Learning Review.

An APC will undertake a Learning review in the following circumstances:

1. Where the adult is, or was, subject to adult support and protection processes and the incident or accumulation of incidents gives rise for reasonable cause for concern about how professionals and services worked together to protect the adult from harm, and one or more of the following apply:

(iii) The adult at risk of harm dies and

- harm or neglect is known or suspected to be a factor in the adult’s death;
- the death is by suicide or accidental death;
- the death is by alleged murder, culpable homicide, reckless conduct, or act of violence or

(iv) The adult at risk of harm has not died but is believed to have experienced serious abuse or neglect.

2. Where the adult who died or sustained serious harm was not subject to adult support and protection processes

(iii) When the findings of an inquiry or review by another organisation or court proceedings, or a referral from another organisation gives rise to reasonable cause for concern about lack of involvement in relation to the Adult Support and Protection (Scotland) Act 2007 or

(iv) The Adult Protection Committee determines there may be learning to be gained through conducting a Learning Review.

Name of referrer:	
Contact details:	
Agency:	
Date completed:	

Adult's Details	
Name:	
Date of birth:	
Date of death:	
Address:	
Gender:	
Ethnicity:	
Next of kin & address	
Any other Local Authorities involved:	
Is/was the adult subject of any statutory powers at time of concerns arising in relation to ASP, AWI or the MHCT?	
Were there concerns related to the adult's decision-making capacity? <i>(if yes, please provide details)</i>	
Contact details for any Guardian or Power of Attorney, if known	
Did the adult have an unpaid carer?	
Was the adult in receipt of support otherwise <i>(please provide details)</i>	
Criteria for Learning Review	
On what grounds do you believe the circumstance of this individual(s) meet the criteria for a Learning Review?	
Immediate and general concerns	
Are there any immediate concerns for the individual(s) or others? If yes:	

<ul style="list-style-type: none"> • What are the immediate concerns and have these been passed to the relevant agency for consideration/ action? • What action has been taken (if known)? 	
<p>Are there any general concerns identified during this process of notification? If yes:</p> <ul style="list-style-type: none"> • What are the general concerns and have these been passed to the relevant agency for consideration / action? • What action has been taken? 	
<p>Summary of the circumstances of the individual</p>	
<p>Are other reviews, criminal investigations, or other statutory proceedings underway? If so, please give details.</p>	
<p>Name of key agency/individuals involved with the adult, with contact details (if known)</p>	
<p>Please submit the completed Learning Review Notification to PublicProtectionAdmin@westlothian.gov.uk</p>	

10. Appendix 2 – Learning Review Call for Information Report

A notification under the West Lothian Learning Review Procedure has been made regarding the adult identified below. You are being asked to provide the Adult Protection Committee with the relevant information by completing Part B of this form, returning the form by email **within 14 days or earlier** to PublicProtectionAdmin@westlothian.gov.uk

Please provide a brief account of your agency's contact with the adult named below, and provide your reflections on the key practice issues listed.

All reports reviewed will be acknowledged by a generic inbox email from PublicProtectionAdmin@westlothian.gov.uk.

Part A (For completion by APLO (*add in name and email of person requesting info here*)).

Date sent:	
Date to be completed and returned:	

Adult's name:	
Date of birth:	
Date of death (if applicable):	
Adult's address:	
Name of staff completing Call for Information Report:	
Designation:	
Agency:	
Date:	
Brief details of the immediate precipitating factors leading to the referral for consideration of a Learning Review	

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Summary of involvement with the adult:

- What was your service involvement and considerations?
- What was your service intervention?
- What was the outcome of the intervention?
- Include Chronology of events

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Chronology of events:

Date(s):	Significant Event(s):	Outcome(s):	Source Name (and agency where applicable):
Add in rows as needed			

Relevant background history of the adult:

- What were the vulnerabilities and protective factors of the adult
- What were risks concerns regarding the adult

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Key Practice Issues:

Please provide information on:

- Recognition and assessment of Risk and need in relation to the adult
- Information sharing
- Strategies and actions to minimise harm
- Timely and effective action taken
- Multi-agency responses
- Evidence of planning and reviewing
- Quality of record keeping
- Appropriate use of legal measures

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Areas of Good Practice Identified
Please highlight any areas which may require further considerations to enable practice improvements

Parallel processes	
Are you aware of any current or planned reviews being undertaken for the individual? If yes, please give details.	
Are you aware of any criminal proceedings associated with this individual or others? If yes, please give details.	

11. Appendix – 3 Care Inspectorate Learning Review Notification

The notification form is to be completed following a decision being made to conduct a Learning Review, or to detail the reasons for not proceeding.

For the Care Inspectorate, Learning Review decision notifications should be submitted to: [learning review decision notification](#).

A notification form is to be completed for all adults considered under the National Guidance for Adult Protection Committees Undertaking Learning reviews introduced on 26th May 2022.

For completion by representative of Adult Protection Committee or mandated sub-group.

Section 1

1.1	Date of notification
1.2	Name of the person submitting notification
1.3	Position
1.4	Email address
1.5	Telephone number
1.6	Adult Protection Committee area

Section 2: Adult's information

Note – only redacted information with no identifiable information

2.1	Adult identifier: <i>(For example: Adult D)</i>
2.2	Gender of adult :
2.3	Age of adult when Learning Review referral was made :
2.4	Primary type of harm <ul style="list-style-type: none"> • Financial • Psychological

	<ul style="list-style-type: none"> • Self Harm • Physical • Sexual • Neglect • Self-Neglect • Institutional • Other (<i>please state</i>)
2.5	<p>Any other applicable type of harm</p> <ul style="list-style-type: none"> • Financial • Psychological • Self Harm • Physical • Sexual • Neglect • Self-Neglect • Institutional • Other (<i>please state</i>)
2.6	<p>What is/was the adult's ethnicity?</p>
2.7	<p>Primary case type</p> <ul style="list-style-type: none"> • Alcohol or substance misuse • Dementia or cognitive impairment • Acquired brain injury • Learning disability • Mental health issues • Physical disability • Frail older • Sensory impairment • Other (<i>please state</i>)
2.8	<p>Primary location of harm</p> <ul style="list-style-type: none"> • Own home • Care home • Other private address • Sheltered housing or other supported accommodation • Independent hospital • NHS • Daycentre • Public place • Not known • Other (<i>please state</i>)
2.9	<p>Has the adult died?</p>

2.9.1	If yes, please advise on date of death
2.10	Outline what is/was the nature of the adult's situation <i>Relevant background information including key risks and supports</i>
2.11	Was the adult referred under Adult Support and Protection (Scotland) Act 2007 during the time period being considered?
2.12	Was the adult supported under Adult Support and Protection (Scotland) Act 2007 during the time period being considered? <i>Support includes inquiry, investigation, case conference and protection planning</i>
2.12.1	If yes, please provide further details <i>This should include information about stages of the process and application of the three-point test/criteria</i>
2.13	Were there concerns related to the adult's decision-making capacity?
2.13.1	If yes, please provide further details
2.14	Was the adult subject to Adults with Incapacity (Scotland) Act 2000 or the Mental Health (Care & Treatment) (Scotland) Act 2003 during the time period being considered?
2.14.1	If yes, please provide further details
2.15	Did the adult have an unpaid carer?

2.16	During the time period considered did the adult receive support that included a commissioned service?
2.16.1	Please select all type of services that apply:

Section 3 – Decision making process

3.1	Date APC received the Notification Form
3.2	What are the locally agreed timescales for carrying out a Learning Review? (From referral to Learning Review decision)
3.3	What was the membership of the review group? <i>Name, organisation, and designation</i>
3.4	Date of review group meeting
3.5	Options considered by review group <i>This may be in relation to immediate actions, or recommendations that precede any further case review processes.</i>
3.6	Review group's recommendation and rationale to proceed or not to a Learning Review <i>Please provide a brief summary of the recommendations, and supporting rationale, made by the Review Group to the Adult Protection Committee</i> <i>If a process other than a Learning Review is being pursued but meets the criteria for a Learning Review, please remember to forward a copy of this report to the Care Inspectorate and complete the outcome notification form</i>
3.7	Date of review group's recommendation

3.8	Date Adult Protection Committee notified of review group's recommendation
3.9	Note of discussion by Adult Protection Committee <i>Please provide a brief summary (perhaps in bullet point) of the discussion & resultant recommendation of the Adult Protection Committee regarding the findings of the review groups recommendations regarding a Learning Review, actions to be taken as an outcome, and recommendations to the Chief Officers Group</i>
3.10	Adult Protection Committee's decision(s) and rationale
3.11	Date of Adult Protection Committee Decision(s)
3.12	Note of any comments by/discussion with Chief Officers <i>Please provide a brief summary of the discussion & resultant decision of the Chief Officer's Group regarding the findings of the Learning Review, and actions to be taken as an outcome – including whether there will be a full Learning Review.</i>
3.13	Date of Chief Officers' final decision
3.14	If not proceeding to a Learning Review, any improvement actions identified and arrangements for oversight and implementation

12. Appendix 4 - Learning Review Report (only submitted to the Care Inspectorate if a Learning Review is held)

Core Data - Adult	
Adult's Identifier	
Age of Adult	
Gender	
Sexual Orientation (<i>if relevant</i>)	
Disability	
Health Needs (<i>incl. mental health</i>)	
Education	
Living Circumstances prior to incident	
Position in family / number of siblings	
Ethnicity	
Religion	
Marital status	
Substance use (if applicable)	
Previous trauma (childhood, domestic abuse, etc)	
Nature of injury / cause of death	
Legal status of adult	
Agencies / service involved	
Family / carer factors	
Age	
Health needs (incl. mental health)	

Disability	
Substance use (if applicable)	
Previous convictions (Y/N – if applicable)	
Childhood issues (if applicable)	
Domestic Abuse (if applicable)	
Ethnicity	
Religion	
Living circumstances	
Agencies involved	
Environmental Factors	
Financial issues	
Housing	
Support from extended family / community	

1. INTRODUCTION

(include a brief synopsis of the circumstances which led to the review)

2. THE REVIEW PROCESS

(include approach taken, engagement with the Review Team, details of records and compilation of any chronologies, details of reviews of records & compilation of chronologies, details of practitioner events/meetings and managers, details of family involvement)

3. CIRCUMSTANCES

(include family background & circumstances, & agency involvement, a succinct chronology/timeline of significant events may be included)

4. ANALYSIS

(include an assessment of the key circumstances of the case, any interventions offered & decisions made, identify key issues, the ‘why’ and the ‘how’ things have happened taking into consideration organisational culture, training & policies)

5. PRACTICE & ORGANISATIONAL LEARNING

(highlight key learning points & how these were dealt with in relation to policies and procedures in place)

6. EFFECTIVE PRACTICE

(identify areas of good practice)

7. RECOMMENDATIONS

8. APPENDICES

(include review team, membership, terms of reference, files accessed/relevant documents, people interviewed)

13. Appendix 5 - Learning Review Sub Committee's Terms of Reference

Terms of Reference and Membership	
Remit of the Learning Review Sub-committee	
<p>Adult Support and Protection is an inter-agency and inter-disciplinary responsibility overseen by the Adult Protection Committee (APC). Members of the Learning Review Sub-committee collectively determine through their decision-making to make a recommendation to the APC to conduct a Learning Review or not.</p> <p>The Chief Officer's Group (COG) makes the final decision-making decision to conduct a Learning Review or not.</p> <p>The APC, on behalf of the COG, agrees whether a Learning Review is warranted and how the review is conducted including the commissioning of an independent reviewer.</p>	
Purpose of the Learning Review Sub-committee	
<p>Review all received Learning Review Notifications.</p> <p>Determine if other Call for Information reports are required and from which, agencies.</p> <p>Identify agencies for Call for Information reports to be requested from.</p> <p>Determine and make a decision regarding the adult's circumstances and whether they meet the Learning Review criteria or not.</p> <p>Notify the agency who made the Learning Review Notification about the sub-committees recommendation to proceed or not with a Learning Review.</p> <p>Notify the APC about the sub-committee's recommendation for each received Learning Review Notification for the final decision-making to be ratified by the COG.</p> <p>Complete the Care Inspectorate Learning Review Decision Notification Form - Adults upon the COG's final decision-making to conduct a learning review, or to detail the reasons for not proceeding.</p> <p>Complete the Care Inspectorate Learning Review Outcome Notification Form - Adults when a Learning Review is completed. A copy of the LR Report is also submitted to the CI.</p>	
Frequency	
<p>The Learning Review Sub-committee will meet as required to reach its decision-making outcome to conduct a Learning Review, or to detail the reasons for not proceeding within expected timelines.</p>	
Chair	
<p>Convenor of the Adult Protection Committee (APC).</p>	
Contact	
<p>The Convenor of the APC will be supported by the Adult Protection Lead Officer, who is the main contact for any enquiries.</p>	
Reporting	
<p>The Learning Review Sub-committee will report to the APC with regular updates also provided to the Chief Officers Group via the Convenor of the APC.</p>	
Membership Profile	
<p>Participants are chosen to provide the relevant knowledge and expertise to fulfil the remit of the Learning Review Sub-committee. This list is not exhaustive and may be added to or amended as recommended:</p>	
Member	Agency

Convenor of the APC (chair)	Independent
General Manager - Adult Mental Health and Addiction Services	West Lothian Health and Social Care Partnership
Chief Nurse	West Lothian Health and Social Care Partnership
Clinical Nurse Manager	NHS Lothian
Senior Manager, Adults Services	West Lothian Health and Social Care Partnership
Senior Manager, Older Peoples Services	West Lothian Health and Social Care Partnership
Detective Inspector, Public Protection Unit WL	Police Scotland
Lead Officer ASP	West Lothian Health and Social Care Partnership
Admin Support	West Lothian Council
<p>Review The Learning Review Sub-committee's remit, progress and membership will be reviewed annually or earlier when required.</p>	