



Committee Approver	Operations Committee
Stakeholder Consultation	.
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Related Documents	
Location of Electronic Copy	<i>F/live policies/corporate</i>

1. Viewpoint Values

Viewpoint is here to help people enjoy their later years. Everything we do is about realising this vision, which is supported by the following straightforward set of values:

- Inspire with positive smiles and words;
- Say ‘yes I can and I will’;
- Celebrate age, experience and wisdom;
- Do according to our customers’ wishes and ambitions;
- Treat people (everyone is a VIP) as we would a “loved one”;
- Work hard, have fun and laugh;
- Stay courageous, creative and ahead of the game; and
- Work with those that share our values.

These promises shape us. They’re a commitment to our tenants, residents, staff and suppliers. They are fundamental to every single plan, decision and project we embark on

2. Policy Statement

The Protection of Adults at Risk is not an option but a responsibility of Viewpoint, its staff and many agencies.

The expectation for all “at risk” adults in our care is that they are empowered, through support from Viewpoint as well as all the public services including police, health, housing, and care organisations, to be free from preventable harm. Viewpoint recognises that some adults are unable to protect /safeguard themselves and may be at risk of harm. Therefore Viewpoint is committed to up-holding tenants’ and residents’ rights to receive safe, dignified, care and support that protects them from harm as far as is reasonably practicable and have put in place safeguarding measures to reduce the likelihood of abuse occurring.

Viewpoint is committed to preventing harm to at risk adults by providing training to staff to help them identify the circumstances when harm might occur.

When harm is suspected or known to have occurred Viewpoint will have in place robust systems for reporting, recording and minimising the impact of that harm.

3. Purpose

Viewpoint is committed to the protection of adults at risk of harm. This policy and associated documents have been drawn up to enable Viewpoint to

promote awareness of harm and the actions that must be followed if harm is suspected. It aims to ensure that all involved in the delivery of Viewpoint services work in a way that prevents harm and minimises the risk of harm. We are committed to ensuring that our service users feel safe and listened to.

The policy sets out the legal definitions and requirements, Viewpoint's training commitment, levels of responsibility, and reporting and recording processes.

4. Legislation/related policies

In Scotland, there are 4 Acts of the Scottish Parliament which relate specifically to adult protection. These are;

- **Adults with Incapacity (Scotland) Act 2000**

This Act sets out the legal framework for regulating intervention in the affairs of adults who may not have the capacity to make important decisions about their finances or welfare. This incapacity may be as a result of mental health problems, a learning disability or dementia.

- **Mental Health (Care and Treatment) (Scotland) Act 2003**

This Act sets out powers and duties that can be used to support people with mental health difficulties.

- **The Adult Support and Protection (Scotland) Act 2007**

This Act provides duties, powers and measures for the support of adults who may be at risk of harm. It requires that any interventions into the life of an adult at risk must comply with certain principles that underpin the provisions of the Act. These principles are:

- (a) Any intervention in an adult's affairs must provide benefit to the adult
- (b) Any intervention into the adult's affairs should be the least restrictive option to the adult's freedom
- (c) Takes account of the wishes of the adult
- (d) This benefit could not be reasonably provided without intervention

- **Protection of Vulnerable Groups (Scotland) Act 2007**

Disclosure Scotland legislation was introduced in 2002 and from 2007 it formed part of the Agency which operates the Protection of Vulnerable Groups Scheme (PVG Scheme). This scheme ensures that those who have regular contact with children and protected adults through paid and unpaid work do not have a known history of harmful behaviour.

A number of other Acts such as The Vulnerable Witness Act (Scotland) Act 2004, Sexual offences (Scotland) Act 2007 are also used by practitioners in Adult Protection.

This policy should be read in conjunction with *the Lothian and Borders Multi Agency Guidelines – Adult Support and Protection (2013)* as well as the following Viewpoint policies;

- Equality and Diversity
- Whistleblowing
- Complaints
- Confidentiality
- Data protection
- Safe Recruitment

5.Scope

This policy applies to all trustees, senior managers, all employed staff, volunteers, agency workers, students and anyone working on behalf of Viewpoint.

5.1 Definitions under the Act

5.1.1 “Adults at Risk”

An adult at Risk is an adult aged 16 or over who:

- (a) Is unable to safeguard their own well-being, property, rights or other interests
- (b) Is at risk of harm because they are affected by disability, mental disorder, illness or physical or mental infirmity, and is more vulnerable to being harmed than adults who are not so affected.

5.1.2 “Harm”

The Adult Support and Protection (Scotland) Act 2007 defines Harm as: *“Conduct on the part of another person that is causing, or likely to cause the adult to be harmed or conduct by the adult themselves that is likely to lead to self- harm)”*

In the Act Harm “includes all harmful conduct” and in particular includes:

- (a) Conduct which causes physical harm
- (b) Conduct which caused psychological harm (e.g. by causing fear, alarm or distress)
- (c) Unlawful conduct which appropriate or adversely affects property, rights, or interests (e.g. theft, fraud, embezzlement or extortion)
- (d) conduct which causes self- harm.

Forms of Harm

- Physical Harm
- Sexual Harm
- Psychological Harm
- Harm caused by financial material or property abuse
- Harm through neglect and Acts of omission
- Harm through discrimination (e.g. - age, gender, race or faith)
- Harm through information misuse (e.g. - failure to adhere to the data protection Act)
- Institutional Harm (e.g. poor professional standards of practice, as a result of structures, policies and practices within the organisation)
- Harm through denial of human rights
- Self -Harm

5.1.3 “Risk of Harm”

An adult is at risk of harm if

- (a) Another person’s conduct is causing (or is likely to cause) the adult to be harmed.
- (b) The adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self- harm.

5. 2. Training

Viewpoint is committed to ensuring that all trustees, senior managers and staff undertake Adult Support and Protection (ASP)/safeguarding training. ASP is a formal part of Viewpoint’s induction programme. Following the probationary period, all staff undertake ASP training on eLFY and this is refreshed every 3 years.

5. 3. Responsibilities.

Trustees; It is the responsibility of the Trustees to review and approve the ASP policy on an annual basis and ensure effective governance of our approach to Adult Support and Protection. All trustees will be trained in this role. Senior Managers: it is the responsibility of Directors and Senior Managers to ensure that their staff team are aware of the policy and attend training. Staff teams: It is the responsibility of all staff to attend training as directed by their manager and as they are contractually required.

5.4 Reporting

Any report that an adult may be at risk of harm, including anonymous referrals must be taken seriously. In all instances, the information given must be reported to your line manager. In the event that the line manager is not available the person on call should be contacted for advice.

If you think that an adult may be at risk of harm, or you are told directly by a resident or tenant that they are being/have been abused, you should be aware that the adult may be feeling vulnerable or upset when disclosing this information. You should be supportive and reassure the adult by listening carefully but do not ask unnecessary questions. It is not your role to investigate.

5.4.1 Reporting Procedure;

- Advise the adult that the information will be passed on to your line manager and that social work services may be required to investigate further.
- When you feel it is appropriate to leave the resident or tenant who is disclosing the abuse, the information given by the person should be passed on immediately to your line manager.
- Where you are concerned for the immediate safety and wellbeing of an individual, and your manager is not on site, contact emergency services e.g. ambulance or police immediately. Do not delay. You can contact your line manager once you are satisfied that the person is safe.
- If you suspect that a criminal act has been committed, for example in cases of physical or sexual abuse, and your manager is not on site, you should contact the police immediately and steps should be taken to preserve evidence. You can then contact your line manager.
- If there is no line manager available on the day when the abuse is detected, you must contact Social Care Direct.
- If you are unhappy with the response from your manager, you should escalate to the manager's line manager, or in their absence, Social Care Direct.
- If you are unhappy with the response from Social Care Direct you can raise this through the complaints procedure and/or the Care Inspectorate.

NOTE.

You should follow the above procedure for all instances of suspected abuse, for example, where you become aware of:

- Abuse by another resident or tenant
- Abuse by a member of staff
- Abuse by someone from within the community (family or friend)

5.4.2 Recording Procedure

- Write down the nature of your concern and anything the person may have told you, using as far as possible, the words used by the person.
- Write the notes as soon as is practically possible and while the information is still fresh in your memory.
- Sign and date the notes and give to your manager. This information will form the basis of the referral and will also be required if there is an investigation.
- This information will be held securely by the manager who will determine who this information can be shared with. (including the person's NOK or POA)

5.4.3 Referral Procedure

- The Manager is responsible for the referral process
- The line manager will telephone the local Social Work Services (Social Work Direct) and give details of the alleged abuse. In accordance with the Multi Agency Adult Protection Procedures, the information should be followed up in writing within 24 hours using the Multi Agency referral form (AP1)
- The line manager must make a note of the following: The date and time that contact was made. Where contact cannot immediately be made, the reason for this must be recorded. Details of any unsuccessful attempts to make contact must also be recorded. The manager must record the name, title and details of those contacted. And who should be contacted for future follow up and agreed further actions.
- In addition, where the adult at risk is care managed by a local authority social worker, the manager should also contact the care manager directly.
- It should be recognised that in cases of suspected abuse, children involved in the situation might also be at risk and Child Protection Procedures may have to be invoked.

6. Compliance & Support

The protection of adults at risk of harm is placed above all other operating principles and it is the responsibility of all Viewpoint staff to familiarise themselves with this policy and seek clarification from their manager if they have any questions about it.

Viewpoint staff have a duty to report concerns about an adult they suspect or know to be at risk of harm. Staff can feel confident that concerns raised with their manager will be treated confidentially. The policies listed on Page 4 of this policy, which includes the whistleblowing policy should be read in conjunction with this policy.

All staff and trustees are required to attend training on ASP appropriate to their role.

Non-adherence to this policy or failure to attend training as required by their manager may result in a disciplinary process.

7. Monitoring & Evaluation

The manager will report all ASP issues raised and/or reports submitted to Social Work Direct to the Director of Care or the Director of Housing immediately. The Director will in turn report on the incidence of issues raised through the Key Performance Indicator process to the Board.

The designated named person for Safeguarding at Viewpoint is the Director of Care and in their absence the Head of Care deputises for this responsibility.



Reporting and
Referral flowchart.d

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