



Adult Support & Protection Policy

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Fair Deal Adult Protection Policy

1. Purpose of Policy

- 1.1 The purpose of this policy is to set out what actions are required of staff working in Fair Deal when dealing with adult protection and to ensure effective links are made into the Glasgow Multi Agency Adult Protection Procedures
- 1.2 This document should be read in conjunction with Glasgow Multi Agency Adult Protection Procedures

2. Introduction

- 2.1 The protection of adults at risk of harm is not an option but a responsibility across agencies. The expectation for all "at risk" adults in our communities is that they are empowered, through support from all the public services including Glasgow City HSCP services, police, health, housing and care organisations to be free from any preventable harm or exploitation. They are enabled to make their own choices about their lives and to live as independently as their personal circumstances may permit
- 2.2 It is the policy of Fair Deal to support and protect anyone who receives our service. We are committed to the protection of adults at risk of harm, and the safeguarding and promoting of the interests and well-being of such adults is of paramount concern
- 2.3 Our organisation strives to ensure to the best of its ability that people using our services will not encounter harm of any form while in its care, and that, if abuse is detected, the situation will be reported immediately to allow investigation by the appropriate statutory agencies
- 2.4 Fair Deal undertakes to ensure it will protect adults it works with from exploitative relationships. In such circumstances where it is found that an adult is at risk then we undertake to liaise with Glasgow City HSCP services to ensure that the adult continues to receive a service as agreed as appropriate
- 2.5 Fair Deal will ensure that staff will be alert to the possibility that they may become aware of adults requiring support and protection who are not people who use our services, e.g., relatives, friends, visitors etc.

In all cases staff will report their concerns using the Fair Deal reporting procedures, as detailed in the procedure outlined at Section B

- 2.6 Fair Deal recognises that the protection of adults at risk of harm is placed above all other operating principles and supersedes the principle of confidentiality.

3. Legislation

- 3.1 In Scotland, there are three Acts of the Scottish Parliament which relate specifically to adult protection. These are:

Adults with Incapacity (Scotland) Act, 2000.

This Act imposes duties on, and assigns functions to, local authorities in relation to the making of enquiries in respect of adults who lack capacity, and the creation, application and supervision of proxy decision making powers in respect of such adults. Under the terms of Section 10 of the Adults with Incapacity (Scotland) Act 2000, the local authority must investigate.

'Any circumstances made known to them in which the personal welfare of an adult seems to be at risk'

This means that, the local authority must investigate allegations of abuse involving an adult who lacks the capacity to make or convey decisions for him or herself, whether the adult concerned agrees to the investigation or not. It is the function of the Public Guardian to investigate situations of suspected financial abuse involving adults who lack capacity under Section 6 of the same Act.

Mental Health (Care & Treatment) Scotland Act, 2003

This Act imposes duties on, and assigns functions to, local authorities and health boards in respect of social and mental health well-being, the making of enquiries in respect of persons who appear to have a mental disorder, and (where necessary) the application of compulsory measures in relation to the assessment and treatment of persons having a mental disorder.

Adult Support and Protection (Scotland) Act, 2007

This Act imposes duties on, and assigns functions to, local authorities in respect of the making of enquiries, the conduct of investigations, the application for protective powers in respect of adults defined by the legislation to be at risk of actual or suspected harm. This Act also brought about the creation of Adult Protection Committees in every local authority area.

- 3.2 It is the responsibility of adult protection agencies such as Glasgow City HSCP Services and the Police to make enquiries (proactive and reactive) and to carry out appropriate investigations in order to establish:
- a) whether or not an adult is at risk from harm or suspected harm; and, if so,
 - b) which, if any, of the protective measures available in terms of the legislation are most appropriate to an adult at risk's individual circumstances
- 3.3 It is, however, everyone's responsibility to report concerns regarding any adult who is, or who appears to be, at risk of harm to Glasgow City HSCP Services. If you are concerned that a vulnerable adult is at risk of exposure to criminal activity such as fraud, then Police must be notified as well as Glasgow City HSCP. However, to avoid confusion and to have clear lines of accountability, Fair Deal staff should report concerns directly to their line manager/named person in the first instance. The procedure outlined at Section B sets out the reporting guidelines.
- 3.4 For the purposes of the Adult Support & Protection (Scotland) Act 2007 ("ASP Act"), an "adult" is a person aged 16 or over. However, if the adult concerned is 16 or 17 years of age, it is possible that s/he is already subject to a Supervision Order or other Order under the Children (Scotland) Act, 1995, or other Glasgow City HSCP or childcare legislation. If Fair Deal staff know that such an Order is in place in respect of that person, they should include that information in their report to their line manager/named person. It is the responsibility of Glasgow City HSCP Services to carry out any investigations about anyone who may be subject to such an Order. The procedures outlined at Section B sets out the reporting guidelines.
- 3.5 Under the Adult Support and Protection (Scotland) Act 2007 'adults at risk' are defined as adults aged 16 or over who:
- a) are unable to safeguard their own well-being, property, rights, or other interests,
 - b) are at risk of harm, and

- c) because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

3.6 The ASP Act states harm includes all harmful conduct and includes:

- Conduct which causes physical harm
- Conduct which causes psychological harm (for example by causing fear, alarm or distress)
- Unlawful conduct which appropriates or adversely affects property, rights or interests (for example: theft, fraud, embezzlement or extortion)
- Conduct which causes self-harm

4. Factors which may indicate harmful behaviour towards an adult at risk

4.1 These can include one or a combination of the following actions. The following indicators must, however, be used only as a guide

4.2 Harm can be a single or repeated act or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an adult. It can take the form of physical, sexual, emotional, psychological or domestic abuse, acts of neglect or omission, financial and material abuse and the withholding of information. The abuse can be multiple, involving some or all of the above

4.3 Harm can occur in any setting: when an adult lives alone or with a relative; within nursing, residential, supported living or day care settings; in hospitals, custodial situations, support services in people's own homes and other places previously assumed safe, or in public places

4.4 Staff will be aware that adults using Fair Deal services might have come to the service because they have been subject to harm:

- In their own home
- In the community
- Having been abused by a relative, friend or acquaintance

4.5 Alternatively, adults might be at risk of harm after they come to the service, for example from:

- Someone who is not a service user coming into the service from outside
- Another service user
- A member of staff

4.6 On some occasions the perpetrator of the abuse might be at risk of abuse themselves; such as a service user who regularly becomes inebriated and puts other service users or members of staff into a state of fear. All parties involved can be considered as being potentially at risk, however the person behaving abusively can also be treated as an adult at risk.

4.7 There is an expectation where the perpetrator of abuse is a member of staff that an internal investigation will not take precedence over reporting concerns to allow an investigation by Glasgow City HSCP Services and/or Police. The procedure outlined at Section B sets out the reporting guidelines.

5. Types of Harm

- 5.1 **Physical Abuse** - involving actual or attempted injury to an adult defined as at risk. For example:
- Physical assault by punching, pushing, slapping, tying down, giving food or medication forcibly, or denial of medication
 - Use of medication other than as prescribed
 - Inappropriate restraint
- 5.2 **Emotional/Psychological Abuse** - resulting in mental distress to the adult at risk. For example:
- Excessive shouting, bullying, humiliation
 - Manipulation of, or the prevention of access to, services that would be of benefit to the adult
 - Isolation or sensory deprivation
 - Denigration of culture or religion
- 5.3 **Financial or Material Abuse** - involving the exploitation of resources and property belonging to the adult at risk. For example:
- Theft or fraud
 - Misuse of money, property or resources without the informed consent of the adult at risk
- 5.4 **Sexual Abuse** - involving activity of a sexual nature where the adult at risk cannot or does not give consent. For example:
- Incest
 - Rape
 - Acts of gross indecency
 - Inappropriate touching or verbal or physical sexual harassment
- 5.5 **Neglect and Acts of Omission** by others charged with the care of the adult, including ignoring medical or physical care needs. For example:
- Failure to provide access to appropriate health, social care or educational services
 - Withholding of the necessities of life such as nutrition, appropriate heating, etc.
- 5.6 **Exploitation** - the deliberate targeting of vulnerable adults for personal benefit.
- 5.7 **Discriminatory Abuse** - for example, treating one service user less favourably than another.
- 5.8 **Information Abuse** - deliberately giving erroneous information or withholding information.
- 5.9 **Human Rights Abuse** - for example deprivation of a right to family life or to a fair hearing.

- 5.10 **Multiple Forms of Abuse** - This may occur in an ongoing relationship or service setting or to more than one person at a time. It is important therefore to look not only at a single incident, but to also consider the underlying dynamics and patterns of harm.
- 5.11 **Random Violence** - An attack by a stranger on an adult defined as at risk is an assault; this is a criminal matter and should be reported to the Police. However, where there is the possibility that the violence may be part of a pattern of victimisation in a community or neighbourhood, local authority Adult Protection procedures may also apply in respect of effective multi-agency intervention.
- 5.12 **Domestic Violence** - Police Scotland define domestic violence as "any form of physical, non-physical or sexual abuse which takes place within the context of a close relationship committed either in the home or elsewhere". In most cases this relationship will be between partners (married, cohabiting or otherwise) or ex-partners.

The similarity between the above acts of harm in relation to adult protection is recognised. However, the key factor in relation to activating adult protection procedures in such situations is that the victim (or suspected victim) must be an adult at risk of harm as defined by The Act.

6. Training

- 6.1 As an allegation of abuse can come to the notice of any member of staff at any time, all staff members will receive training in Adult Protection Procedures, either as part of an initial induction, or as part of an ongoing training programme.
- 6.2 Employees/volunteers will be made aware of the existence of the Adult Protection Policy and Procedure, and their responsibilities in relation to the Adult Protection process:
- Through the provision of training
 - By issuing a copy of the policy to all new staff members
 - By publicising its existence at strategic points of office/service locations
- 6.3 Staff can always access this policy at the following locations:

Fair Deal Policy & Procedure Manual - in main office and at every service where a sleepover is delivered.

7. Confidentiality

- 7.1 There is a clear requirement across agencies to co-operate in relation to the protection of adults seen to be at risk of harm. Fair Deal will ensure appropriate mechanisms are in place for staff to report any concerns to Glasgow City HSCP Services and/or the Police, as may be appropriate in the circumstances. Fair Deal will also ensure that appropriate mechanisms are in place in relation to any ongoing involvement and assistance by us, in consultation with the relevant statutory agencies, towards effective risk management and continuing support to the service user.
- 7.2 To ensure appropriate protective measures can be put in place, it is recognised that confidential information will need to be shared with other workers, managers and other agencies on a "need to know" basis.

- 7.3 Fair Deal staff have a duty to report concerns about an adult thought to be at risk of harm (as defined in the ASP Act).
- 7.4 Where an adult is seen to be at risk of harm, this will always override a professional or organisational requirement to keep information confidential, subject to the provisions of the Data Protection Act 1998. It is the responsibility of those employed or involved with Fair Deal to take appropriate action to ensure the adult deemed to be at risk is protected from harm.

8. Principles of Reporting and Information Sharing

- 8.1 The protection of adults at risk of harm is placed above all other operating principles and supersedes the principle of confidentiality. Any concerns a member of Fair Deal staff may have regarding the safety and well-being of an adult at risk of harm should be brought to the attention of their line manager/named person immediately.
- 8.2 Although it is recognised that a service user's privacy must be protected at all times, in situations where abuse is suspected, there must be free communication between participating agencies throughout the investigation. Under no circumstances will information on an adult be withheld from Glasgow City HSCP services because the holder of the information thinks that it might compromise a third party. If a staff member is given information relating to adult abuse 'in confidence' they must make clear that any information relating to adult or child abuse must be passed on to Glasgow City HSCP Services and/or Police for investigation.
- 8.3 In all cases of suspected adult abuse, it must be recognised that children involved in the situation might also be at risk and that Child Protection Procedures might have to be invoked.
- 8.4 If the adult is profoundly deaf and requires the services of a sign language interpreter or communication worker, one should be appointed to work with the adult. This should be arranged in consultation between Fair Deal and Glasgow City HSCP as appropriate. Other forms of assistance to communication should be utilised if the adult cannot communicate using speech.
- 8.5 If the adult does not have English as a first language and requires the services of an interpreter, an interpreter from the Interpreting Service should be appointed to work with the adult. This should be arranged in consultation between Fair Deal and Glasgow City HSCP as appropriate.
- 8.6 Using a member of the adult's family as an interpreter or communication support worker should be avoided.

9. Named Person

- 9.1 Fair Deal acknowledges that having a specific member of staff as a named person/post in respect of adult protection is good practice. Our named person/post will be a manager within the organisation who has sufficient knowledge/expertise to deal with any concerns raised.
- 9.2 Fair Deal recognises that providing a named person ensures that all allegations of abuse are reported to a central point to allow a consistent response and to maintain an overview of reports from staff. Concerns can then be passed on quickly and appropriately.

9.3 The named person/post will monitor issues and detect trends as these occur.

9.4 Our named person/post is:

Fiona Dunwoodie, Chief Executive (0141 634 4996 / 0797 349 4604)

Fair Deal Adult Protection Procedure

1. Introduction

- 1.1 This procedure details the action you should take on suspecting harm or poor practice to ensure the welfare and safety of adults at risk of harm.

2. Responsibilities of Fair Deal Staff

- 2.1 Any report that an adult may be at risk of harm, including anonymous referrals, should be taken seriously. All cases should be considered with an open mind. In all instances, the information given must be reported immediately to Fair Deal Duty Manager / Fair Deal On Call Manager (If out of hours or the named person.

Our named person/post is:

Fiona Dunwoodie, Chief Executive (0141 634 4996 / 0797 349 4604)

- 2.2 In the event that you become aware that an adult may be at risk of harm, or you are told directly by a person using Fair Deal's services that they are being/have been abused, you should be aware that the adult may be feeling vulnerable or upset when disclosing this information.
- 2.3 You should be supportive and reassure the adult by listening carefully, but do not ask unnecessary questions. It is not your role to investigate.

3. Reporting

(See Appendix 1: Contact List)

- 3.1 You should advise the adult that the information will have to be passed on to Fair Deal Duty Manager / Fair Deal On Call Manager or the named person, and that Glasgow City HSCP may be required to investigate further.
- 3.2 When you feel it is appropriate to leave the person using Fair Deal's services who is disclosing the abuse, the information given by the person should be passed on immediately to Fair Deal Duty Manager / Fair Deal On Call Manager or the named person.
- 3.3 Where you are concerned for the immediate safety and well-being of an individual, contact emergency services, i.e., ambulance and Police immediately. Do not delay. You can contact Fair Deal Duty Manager / Fair Deal On Call Manager or the named person, once you are satisfied that the person is safe.
- 3.4 If you suspect that a criminal act has been committed, for example in cases of physical or sexual abuse, you should contact the Police immediately and steps should be taken to preserve evidence. You can then contact Fair Deal Duty Manager / Fair Deal On Call Manager or the named person,
- 3.5 If there is no available Fair Deal Duty Manager / Fair Deal On Call Manager or named person, on the day when the abuse is detected, you must contact Glasgow City HSCP at the appropriate Glasgow City HSCP local office to report your concerns.
- 3.6 If you are unhappy with the response from Fair Deal Duty Manager / Fair Deal On Call Manager or the named person, you should contact Glasgow City HSCP at the appropriate Glasgow City HSCP and outline your concerns and the basis for them.

- 3.7 If you are unhappy with the response from Glasgow City HSCP you can raise this through the Complaints Procedure and/or the Care Inspectorate (See Appendix 1: Contact List for details).

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

- Abuse by another person using Fair Deal's Services
- Abuse by someone from within the community (family or friend)
- Abuse by a member of staff.

4. Recording

- 4.1 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. Remember to sign and date the notes taken. This information will form the basis of the referral and will also be required if there is an investigation.
- 4.2 This information will be kept and securely stored in confidential file kept by Fair Deal's Chief Executive at Fair Deal's office base. Fair Deal Duty Manager / Fair Deal On Call Manager or the named person, will determine who this information can be shared with, will maintain an overview of reports from staff, monitor issues and detect trends as these occur.

5. Responsibilities of Fair Deal Duty Manager/ On Call Manager/ Named Person

- 5.1 **Referral:** The Fair Deal Duty Manager / Fair Deal on Call Manager or the named person, will telephone the relevant Glasgow City HSCP location and give details of the alleged abuse. In accordance with the Multi Agency Referral Form (AP1). (Appendix 2).
- 5.2 Where information is given to Fair Deal Duty Manager / Fair Deal On Call Manager or the named person, out of hours it must be passed to the Glasgow City HSCP Service Tel 0300 343 1505
- 5.3 The Fair Deal Duty Manager / Fair Deal on Call Manager or the named person, making contact with Glasgow City HSCP and/or the Police 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 all unsuccessful attempts to make contact must also be recorded
 - Name, address, and full details of those contacted
 - Details of who should be contacted for future follow-up/agreed further action
- 5.4 Where the adult at risk is supported by a local authority other than Glasgow City HSCP, Fair Deal Duty Manager / Fair Deal on Call Manager, or the named person, should contact that local authority immediately.
- 5.5 In all cases of suspected adult abuse, it must be recognised that children involved in the situation might also be at risk and Child Protection Procedures might have to be invoked.

6. Role of Senior Managers Glasgow City HSCP

- 6.1 All concerns of an adult protection nature should be reported to the relevant Glasgow City HSCP office. Glasgow City HSCP will seek to allocate the matter to a member of their staff who has sufficient knowledge and expertise to deal with any concerns raised. It will be the responsibility of the designated Fair Deal manager to ensure that all instances of alleged or suspected harm to an adult seen to be at risk and requiring protection are treated seriously and that appropriate liaison with Glasgow City HSCP and/or the Police is affected.

7. Allegations Involving Staff

What If It Is Someone Within Fair Deal That You Are Concerned About?

- 7.1 If you have observed Fair Deal staff acting in a way that has caused you to be concerned you should contact your line manager/named person outlining your concerns and the basis for them. They will take your concerns seriously, make appropriate enquiries into them and thereafter decide on the appropriate course of action.
- 7.2 If your concerns are about your Fair Deal Duty Manager / Fair Deal On Call Manager / line manager then you should inform named person Fiona Dunwoodie , Fair Deal Chief Executive. You can also contact Glasgow City HSCP directly to pass on your concerns and seek further advice.
- 7.3 In situations where the alleged abuser is a member of staff, Fair Deal Investigatory and Disciplinary Procedures should be followed, but will not supersede an adult protection referral to an investigation by statutory agencies. In other words, care must be taken to ensure that implementation of any internal procedures (for example, fact finding) does not undermine or impede any investigation by statutory agencies. Advice should be sought from Glasgow City HSCP before proceeding.
- 7.4 In such cases the Scottish Social Services Council will be contacted by the appropriate Manager from Fair Deal. The decision will be recorded in the staff members' personnel file and in their personnel file.

8. Frequent Complaints Without Foundation

- 8.1 A situation where a person using services makes frequent complaints alleging abuse, which after full investigation are found to be vexatious, cannot be ignored. In such cases it is good practice to always follow the above reporting procedures. The allegation must be reported to the appropriate Glasgow City HSCP manager, and the pattern of allegations must be reviewed regularly in case abuse is taking place.

9. What Happens Next?

- 9.1 Once they have received a referral, it is the duty of Glasgow City HSCP to make enquiries and to investigate matters of concern in relation to the protection of an adult deemed to be at risk of harm as defined by the legislation. Where it is alleged that a crime has been committed against the adult, investigation is likely to be progressed jointly in consultation with the Police.
- 9.2 The investigating officers may need to speak to the staff member from whom the concerns originated. Managers and staff of Fair Deal will co-operate fully with any Police or Glasgow City HSCP enquiries, and managers will ensure staff are supported in this.

9.3 The Fair Deal Duty Manager / Fair Deal on Call Manager or the named person, will take advice from the investigating officer about the suitability of seeking an Advocacy Worker or an Appropriate Adult to work with the adult.

9.4 The Care Inspectorate will be contacted by the appropriate manager at Fair Deal to report incidents of abuse within the service.

10. Supporting the Adult at Risk of Harm

10.1 It is important that all employees and those involved directly with the adult seen to be at risk of harm act throughout in a facilitating and supporting manner. - Staff should avoid being judgemental and should not introduce personal or third-party experiences of harm. Every effort should be made to enable the adult to express their wishes and to make decisions to the best of their ability where appropriate, but, within a duty of care, and overriding concern is the protection of the adult from harm.

10.2 The person you are supporting is likely to continue to be involved with Fair Deal following the reporting of the concerns. Links should be maintained with the Glasgow City HSCP office involved in any investigation, in order to offer the appropriate support to the person using Fair Deal's services.

11. Whistle Blowing

11.1 Harassment or Victimisation

Fair Deal will not tolerate harassment or victimisation because of the disclosure and will provide protection under employment law to ensure that you are not subject to any detriment as a result of the disclosure. This is on the provision that the disclosure was made in good faith.

This does not mean that if you are already the subject of separate disciplinary or redundancy procedures, that those procedures will be halted as a result of you whistle blowing.

11.2 Confidentiality

Fair Deal will protect your identity when you raise a concern and do not want your name to be disclosed. But this is subject to the fact that it must be appreciated that the investigation process may reveal the source of the information and a statement by you may be required as part of the evidence. Particularly if the Police, Glasgow City HSCP Adult Services, External Auditors, Scottish Care Inspectorate, Scottish Social Services Council or Mental Welfare Commission became involved in order to take effective action, Fair Deal will need proper evidence, which may be required to stand up to examination in courts or tribunals.

Appendices

- Appendix 1 Contact List
- Appendix 2 Incident Reporting Pro Forma
- Appendix 3 Adult Support and Protection Reporting Process
- Appendix 4 Adult Support and Protection: Ensuring Support & Preventing Harm Information Sheet
- Appendix 5 AP1

Appendix 1: Contact List

Fair Deal staff should be aware that operational Glasgow City HSCP staff with a lead role for adults with a learning disability in adult protection investigations are based within localities covered by each Glasgow City HSCP area, first point of contact at Glasgow City HSCP will be Social Care Direct

- Telephone **0141 287 0555**
- Textphone **18001 0141 287 0555**
- email Adults Team socialcaredirect@glasgow.gov.uk
- email Children and Families Team scdchildrenandfamilies@glasgow.gov.uk

Glasgow City HSCP Services Standby Service provides an emergency Glasgow City HSCP service out of normal office hours 0300 343 1505

Glasgow City HSCP Services:

Glasgow City HSCP Complaints Glasgow City HSCP Rights and Enquiries Section
Glasgow City Council
Commonwealth House
32 Albion Street
Glasgow
G1 1LH
0141 287 0499
swcomplaints@sw.glasgow.gov.uk

The Office of the Public Guardian Hadrian House
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR
01324 678 300

Mental Welfare Commission for Scotland Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HE
0131 313 8777

Care Inspectorate Compass House
11 Riverside Drive
Dundee
DD1 4NY
0345 600 9527
enquiries@careinspectorate.com

Scottish Social Services Council Scottish Social Services Council
Compass House
11 Riverside Drive
Dundee
0345 603 0891
enquiries@sssc.uk.com

Police Scotland Emergency: 999
Non-emergency: 101

Appendix 2: Incident Report Form

Serious incidents/issues must be notified to Fair Deal Duty Manager/Fair Deal on Call Manager. Fair Deal have a statutory responsibility to report serious issues/incidents to the Care Inspectorate and the local authority immediately, therefore incident reports must be completed within 24 hours of the incident/issue.

Staff involved in an incident/issue must complete the Fair Deal incident reporting form for all serious incidents resulting from:

- The behaviour or actions of People We Support or Fair Deal Employees
- Any incident or occurrence that puts the People We Support or Fair Deal Employees at risk

The completed reporting form should be returned to the Manager, who was notified of incident and copied to the Quality & Development Manager, in order that practice is monitored, and the organisation is accountable.

We should not confuse the ongoing monitoring & recording of people's behaviours in relation to the challenges they present with the requirement to report serious incidents. Support staff if instructed should continue to record incidents arising from people's challenging behaviour or complex needs, following the ABC method recommended in Fair Deal's Challenging Behaviour Policy.

NB: If this is a reportable incident, please ensure back page is completed.

Incident Information	
Date of Incident	
Name (Person caused incident)	
Other people involved	
Staff members involved	
CALM Technique used (If applicable)	
PRN administered (Time, Date & Dose)	
Other agencies notified (CPM/CLDT/GP)	
Fair Deal Manager Contacted	

Summary of Incident

Please use the space below to give a detailed summary of the incident, please ensure you include dates and times of the incident.

Staff sign off Section

Staff Members Name

Staff Members Signature

Date Completed

Managers Section

Please use the below section to include actions taken in respect of the incident, ensure this includes dates, times and locations if required.

Please detail below, if any, follow up actions taken.

E.g. (lead to Investigation, disciplinary, staff debrief, referral to employee counselling, urgent supervision session, further training for staff member or refresher of training)
include dates and timescales.

Manager sign off Section

Managers Name	
Managers Signature	
Date completed	

Reportable Section		
Please use the list below and mark yes/no if this incident has led to a notification to the below agencies. (Please tick yes or no where appropriate).		
Notifiable Agency/Person	Yes	No
AP1 Required		
Care Manager (Allocated)		
Duty Glasgow City HSCP		
Care Inspectorate		
Family Member/NOK/Guardian		
Link Commissioner		
Mental Welfare Commission		
Police		
Health & Safety Executive		
Organisational Health & Safety Controller		
Manager sign off Section		
Managers Name		
Managers Signature		
Date completed		

Additional Information
<p style="text-align: center;">PLEASE NOTE IF THIS IS A NOTIFIABLE INCIDENT THE FOLLOWING PEOPLE HAVE RESPONSIBILITY TO NOTIFY.</p> <p>Care Inspectorate: Nominated Fit Person AP1 to be completed: Manager who is informed. Care Manager/Duty/family/Police: Manager who is informed. GCC Link Commissioner, Disclosure Scotland (PVG), SSSC, MWC: Chief Executive. Fair Deal Health and Safety Exec.</p> <p style="text-align: center;">THIS IS THE END OF THE REPORT</p>

Appendix 3: Adult Support and Protection Reporting Process

The following process must be followed if Fair Deal is made aware of any issues of concern/harm to someone supported by Fair Deal or if the practice of a worker is alleged to have put someone supported by Fair Deal in a vulnerable/harmful situation. Please refer to appendix 1 for a list of factors which may indicate an adult is at risk.

As soon as a staff member at any level within Fair Deal becomes aware of an issue that concerns the safety/health/wellbeing/rights of an individual supported by Fair Deal this must be reported to allow an investigation to take place.

Process:

Follow Adult Support and Protection Policy and Procedure. Does AP1 apply and need to be completed.

Issue arises, or incident occurs, staff member reports to Fair Deal Duty Manager/ Fair Deal on Call (out of hours) / line manager and is directed to complete a Fair Deal Incident Report form (Appendix 2) which must be completed immediately.

The manager that issue/concern was reported to should report issue/incident to care manager or duty worker at relevant Glasgow City HSCP office immediately.

An AP1 should be completed immediately and logged on company AP1 log, do not delay if harm has been reported or suspected. If unable to get Incident Report immediately from staff, then record the details from them to allow you to complete AP1 at once.

Manager should consider:

- is person still at risk and what safeguards need to be put in at this time to ensure the person is safe, there is a section on the AP1 form that asks this
- does person need checked by a health professional
- If a crime has or may have been committed report to the police
- If there maybe be evidence available advice person/staff not to touch or remove anything from scene
- If out of hours report to Glasgow City HSCP Standby 0300 343 1505.
- Inform the person's family/guardian
- Inform Chief Executive and Quality and Development Manager about issue/concern, agree any support required
- Care Inspectorate notification should be submitted
- Link Commissioner/s should be emailed
- Manager should assess if SSSC notification is required (if Fair Deal staff are implicated) - discuss with Chief Executive or Quality and Development Manager.

A file should be opened, and a number requested from BST Team Leader, and details of the issue, investigation and outcome recorded. This File is called Fair Deal Adult Support and Protection File (FDASP) and is held by the BST Team Leader.

If an Adult Support and Protection investigation takes place, we must cooperate fully with this and provide any files, information, attend meetings that are required. Two members of the Operations Team should attend these meetings, if informed of any meetings please let Chief Executive know and it can be agreed who will attend with the reporting manager.

If Fair Deal staff are to be interviewed as part of ASP investigation, manager should ensure support is in place to attend meeting with staff.

On completion of the investigation the outcome of this should be notified to SSSC, PVG, MWC, this will depend on the nature and outcome of the investigation. Chief Executive is responsible to ensure this occurs.

Appendix 4: Adult Support & Protection

Ensuring Support & Preventing Harm Information Sheet

The Adult Support & Protection (Scotland) Act 2007 provides ways to offer support and protection to certain adults who may be at risk of harm or neglect.

What Does The Act Say Is "An Adult At Risk" Of Harm?

An "adult at risk of harm" is defined as a person aged 16 or over who may be unable to protect themselves from someone harming them, or from exploitation or neglect, because of a:

- Disability
- mental disorder
- illness; or
- physical or mental infirmity

What Can I Do?

If you are worried that you or someone you know is being harmed, is suffering from neglect, or is being abused, it is important to tell someone. Everyone has the right to be safe.

Remember the person who did this may be doing it to others too. Or it could be that the person who is being harmed or neglected may not be able to report it themselves. Even if it happened many years ago it is still important to report it.

What Is Harm?

Harm is defined as all harmful conduct. Some examples of this include:

Physical:	hitting, slapping, pushing, shaking, locking them in a room, tying them to a chair, restricting their freedom.
Psychological:	threats of harm, being left alone, humiliation, intimidation, causing distress, verbal abuse, bullying, blaming, constant criticism, controlling, depriving contact with others.
Neglect:	failure to provide medical or physical care, access to a doctor or other services, or denying someone medication, food or heating, privacy or dignity, self-neglect.
Financial:	stealing, fraud, pressure to hand over or sign over property or money, misuse of property or welfare benefits, or stopping someone get their money or possessions.
Sexual:	any sexual activity that a person doesn't understand or want, photographing, sexual harassment, voyeurism.
Information:	withholding information or advice about right to entitlements.
Discrimination:	because of age, colour, disability, gender, race, religion, cultural background or sexual orientation.

Where Can Harm Happen?

Anywhere. It can happen in the family home, hospital ward, care home, day services, social clubs, day centres, at work and in public places.

Possible signs of harm include:

- unexplained or unusual injuries
- a delay in seeking treatment for injuries or illness
- sudden increase in confusion
- unexplained deterioration of health or appearance

- people being anxious or afraid
- misuse of medication, e.g., not giving medicines properly
- unexplained changes of behaviour e.g., becoming anxious and withdrawn, fear or another person
- pressure by family or professionals to have someone moved into or taken out of care
- hostile or unkind behaviour by a person
- unexplained debt, not paying bills for services
- not having their basic needs met, such as adequate food or heating
- not being provided with adequate information about their rights or entitlements, or being misinformed
- prejudicial actions or remarks to the adult at risk about age, gender, disability, race, colour, sexual or religious orientation
- another person using the adult's possessions, bank account, or property without his or her informed consent; and
- the adult at risk not receiving appropriate care, which would protect them from harm.

Who Can Cause Harm?

Anyone. For example, it could be a:

- member of staff in a health/care setting
- carer
- relative
- spouse or partner
- friend or neighbour
- volunteer; or
- stranger

People's Rights

The Act is about achieving a balance between respecting people's rights and acting where necessary to support and protect them.

It should help individuals to live their lives as they wish by ensuring that support is provided when they need it and provide the means to protect adults at risk of harm.

Who Would Act?

Councils, health and police staff, amongst others, must now work together to protect "adults at risk".

Councils have a duty to inquire and investigate cases where harm is known or suspected. Council officers have powers to visit and interview people, to arrange medical examinations and to examine records. They must also consider whether there is any need for advocacy and other services, such as help with medication, or support services.

There are also new types of "protection orders" that may be used.

If Someone You Support Discloses Abuse You Must Report Immediately.

Who Should I Contact?

Your line manager, Fair Deal Chief Executive, Quality and Development Manager, Glasgow City HSCP. You can also speak to a health professional or the police. They will take your concerns seriously.

Appendix 5: FORM AP1

Adult Protection Referral Form & Actions (AP1) ALL AGENCIES

All agencies use the AP1 with the exception of the Police who will use their own Referral Form at Appendix 8

- You must immediately report suspected or actual harm to your line manager and you have a legal duty to report any concerns to the Council Glasgow City HSCP Services if it is known or believed that a person is an adult at risk and that protective action is needed.
- All sections of **Part A** of the Referral Form require to be completed within **1 Normal Working Day** from the time of adult at risk consent or decision that there is sufficient evidence to prove a lack of capacity to consent.

NB: - If you do not have all the information required in **Part A** please do not delay and send the Referral information you have. Glasgow City HSCP Services will follow up on your referral and add any additional relevant and required information.

SECTION A

REFERRER DETAILS

Name of Referrer:

Job Title:

Contact Telephone No:

Address:

REFERRAL DETAILS

In what capacity do you know the adult at risk you are referring?

Do you suspect a crime has been committed and have you informed the Police?
(date & time and any actions taken by the Police)

Who else have you informed of this referral to Glasgow City HSCP Services?
(date & time and any actions taken)

What are the details and nature of the situation leading to this referral?
(to include details of any specific incidents - dates, times, injuries, witnesses, evidence such as bruising)

Do you believe the adult at risk is capable of understanding what has happened to them?

Have you obtained the adult at risk consent to make this referral? If not, please give the reason for referring without consent.

What action, other than this referral, have you taken to ensure the adult at risk is now safe?

ADULT AT RISK DETAILS

Name:

Date of Birth:

Gender:

Ethnic Origin:

Religion:

Any known communication difficulties

YES / NO

If YES, please detail:

Living situation, e.g. lives alone, with spouse etc., type of accommodation, any known supports, caregivers their details.

etc.

GENERAL PRACTITIONER

Name:	
Telephone No:	
Address:	

OTHER HEALTH PROFESSIONALS KNOWN TO BE INVOLVED

Name/s:	Contact No/s:

Details of person's physical and mental health as known to Health Professional:
Confidentiality is important but for the purposes of allowing Councils to undertake the required inquires and investigations information to protect an adult at risk of harm relevant information should be shared. Please refer to your agency's procedures under Adult Protection Law.

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DETAILS OF THE ALLEGED ABUSER - WHERE KNOWN	
Name	
Relationship to person	
Address	

DETAIL OF ANY PREVIOUS CONCERN/INCIDENT (to include dates, times, actions taken and outcomes)	
Referrer Signature	
Print Name	
Date	

SECTION B

ACTION TO BE TAKEN BY GLASGOW CITY HSCP SERVICES ON RECEIPT OF REFERRAL

Within 5 days of receiving a written referral on Form AP1 the following actions MUST be completed by Glasgow City HSCP Services as the lead agency.

Letter of acknowledgement to be sent immediately to referrer /organisation.

Form AP1 received (date): -

Form AP1 letter of acknowledgment sent (date): -

Referrer/Organisation to be advised in writing of the initial outcome of their referral

Advised (date): -

Referrer/Organisation to be invited to any subsequent adult protection meetings held by Glasgow City HSCP Services

Invitation to Adult Protection Case Conference YES / NO (date sent): -

Date of Case Conference: -

Adult at risk legal status at time of referral

Enquire & Complete any missing information not provided in Part A

Completed (date): -

Reasons for non-completion: -

Gather All available initial information to inform a decision at this point.

ACTION - NO HARMFUL CONDUCT/CONCERNS

i.e. - Refer on to an appropriate agency/review existing care plan/ consider other adult legislation/ action taken and give reasons: -

YES / NO

ACTION - YES HARMFUL CONDUCT /CONCERNS

i.e. – Immediate Adult Protection Order sought/Investigate Further / Case Conference arranged and give reasons: -

YES / NO

Note Primary Category of Referral	Note Primary Category of Referrer
Category is: -	Category is: -
Codes	Codes
A. Physical Injury	1. Glasgow City HSCP Statutory Staff in Council
B. Sexual Abuse	2. Staff at Council Residential Establishment
C. Physical Neglect	3. Staff at Council Day Care Establishment
D. Financial or Material Abuse	4. Home Carer (Council)
E. Emotional /Psychological Abuse	5. Housing in the Council
F. Neglect and acts of Omission by others charged with adult at risks care	6. Police
G. Self Neglect	7. GP/ Member of Primary Care Team
	8. Hospital Medical Staff/ Registrar/ Consultant/ /Nurse
	9. Clinical Psychologist/Psychiatrist
	10. Community Mental Health Team/Nurses/Doctors/ MHO
	11. Substance Misuse Team
	12. Parent/Carer/ Guardian
	13. Neighbour/Friend
	14. Other (Please Specify)
All information from AP1 Form to be transferred to Councils Assessment & Care Management IT Screens or held in Council Case Files. Information gained from Police Referral Form (Appendix 80 also to be recorded.	Date Completed: -
<i>Any future actions and any future relevant information gathered should also be recorded using Councils Assessment & Care Management IT Screens or held in Council Case Files. ALSO</i> <i>Information collated on Forms AP 2 (Risk) or AP 3 (Protection Plan) when relevant.</i>	

ALL QUESTIONS COMPLETED AND ACTION DECISION RECORDED ON INITIAL REFERRAL	
Senior Member of Glasgow City HSCP Signature	
Print Name	
Date	

End of Policy

Document Information

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Approved By:	Fiona Dunwoodie
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Amendment History

Date	Version	Created By	Description of Change
05/09/2017	1	Margaret Fenton	Initial Release
25/06/2018	2	Anne Marie Borthwick	<ul style="list-style-type: none"> AP1 added notification box to Health and Safety Executive. Updated contact details for GCC Complaints Section.
12/03/2020	3	Anne Marie Borthwick	Change to Appendix 2 within the policy page 22-28 – Incident Report.
29/04/2020	4	Chloe Savage	Replacement of updated Incident Report in Appendix 2
11/06/2020	5	Chloe Savage	Add colour code to Incident Report in Appendix 2.
06/11/2021	6	Anne Marie Borthwick	<ul style="list-style-type: none"> Updated Contact details for Glasgow City HSCP. Change wording from Social Work Services to Glasgow City HSCP. Updated telephone number for Care Inspectorate.
24/08/2023	7	Liz Connor	Checked against current legislation. Footer amended. Formatted.