



Title	Adult Support and Protection Policy
Purpose	The purpose of this policy is to ensure that all Maryhill Housing Association staff and Board Members can recognise when an adult may be at risk of harm and are aware of what they should do if they believe an adult is or may be at risk.
Scope	<p>Board has responsibility for approving this, Policy.</p> <p>Senior Management Team has responsibility for reviewing and monitoring the outcomes of this policy.</p> <p>The Director of Operations holds the lead responsibility for this policy with responsibility for the implementation delegated to the Head of Neighbourhoods & Communities.</p> <p>This policy applies to all Board and Committee members, members of staff whether employees of MHA, freelance, casual, or temporary agency staff irrespective of grade, position or length of service responsible for the management of properties within the Association.</p>
Definitions	<p>The Adult Support and Protection (ASP) (Scotland) Act 2007 defines Adults at Risk as adults aged 16 years or over, who meet the following three criteria this is commonly referred to as the three-point test:</p> <ul style="list-style-type: none"> • Are unable to safeguard their own well-being, property, rights or other interests • Are at risk of harm; and • 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 <p>All three criteria must to be satisfied before an adult is considered at risk under this legislation. If, for example, the first two criteria are met but the third is not, action such as a referral to the police or some other action may be appropriate but a referral under the Act would not be required.</p> <p>The Act applies to adults who are not covered by either the Adults with Incapacity (Scotland) Act 2000 or the Mental Health (Care and Treatment) (Scotland) Act 2003</p>

	<p>The ASP Act states harm includes all harmful conduct and in particular includes:</p> <ul style="list-style-type: none"> • 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.
<p>Policy Statement</p>	<p>We believe that staff and Board Members have a responsibility to recognise when an adult may be at risk of harm and to act on any concerns they may have. It is, however, everyone’s responsibility to report concerns regarding any adult who is, or who appears to be, at risk of harm to Social Work 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 Social Work. However, in order to avoid confusion and to have clear lines of accountability, Maryhill Housing Association staff should report concerns directly to their line manager/named person in the first instance, in line with the related procedure.</p> <p>Factors which may indicate harmful behaviour towards an adult at risk</p> <p>These can include one or a combination of the following actions. The following must, however, be used only as a guide.</p> <p>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.</p> <p>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.</p> <p>Staff will be aware that adults residing within a Maryhill Housing Association Tenancy might have come to the service because they have been subject to harm, in their own home, in the community or having been abused by a relative, friend or acquaintance.</p>

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. 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.

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 Social Work Services and/or Police.

Types of Harm

Any or all of the following types of harm may be perpetrated as the result of criminal action, deliberate intent, negligence or ignorance and may be current or historical. These definitions are not exhaustive, and no category or type of harm is excluded because it is not listed below.

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.

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
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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.

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.

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.

Exploitation- the deliberate targeting of vulnerable adults for personal benefit.

Discriminatory Abuse- for example, treating one service user less favourably than another.

Information Abuse- deliberately giving erroneous information or withholding information.

Human Rights Abuse- for example deprivation of a right to family life or to a fair hearing.

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

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.

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, cohabitating or otherwise) or ex-partners.

This can include (but is not restricted to) the following;

- Bullying
- Using the adult's property for parties, drinking, drug dealing (where the vulnerable person is unable to assert themselves or stop the activity)
- Self-neglect – such as not washing, eating or taking medication
- Grooming – of a vulnerable adult
- Neglect of the property – leading to sub-standard living conditions
- Increased Fire Risk
- Other risk to property such as leaving taps running etc.

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 in The Act

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

It is the responsibility of adult protection agencies such as Social Work Services and the Police to make enquiries (proactive and reactive) and to carry out appropriate investigations in order to establish:

- whether or not an adult is at risk from harm or suspected harm; and, if so,
- which, if any, of the protective measures available in terms of the legislation are most appropriate to an adult at risk's individual circumstances

Training

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.

Staff and Board Members 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.
- Staff can access this policy and the related procedure on the F drive – Policy Folder or request from their line manager.

We will make sure that all staff and Board Members understand their role in relation to protecting adults who may be at risk of harm and are competent in recognising and acting on abuse and neglect.

We will promote an organisational culture of openness so that staff and Board Members can raise and report their concerns. Reporting a concern may be the first step in ensuring that an adult at risk of harm is protected.

All adults whatever their age, culture, ability, gender, religious belief or sexual identity have the right to protection from abuse or neglect.

Appendix A to the policy details how the principles set out above will be applied.

Approval	Board March 2023
Policy Owner	Head of Neighbourhoods & Communities Responsible Director – Director of Operations
Review	March 2026 The policy may also be reviewed in light of legislation, good practice, or internal structural and process change.

Appendix A

Reporting concerns

Concerns about an adult who may be at risk of harm can arise in a number of ways, for example an accumulation of concerns, a single significant incident, observation on child/parent interaction, or information from a relative or a member of the public.

In situations where there is immediate danger

If at any point a member of staff or Board Member believes that the adult in question is in immediate danger of harm, then the police, other emergency services or a medical practitioner must be contacted immediately.

If a member of staff or Board Member is in immediate danger, they must leave the scene and not return until it is safe to do so.

The staff member should inform their line manager immediately. Board Members should inform a member of the Senior Management Team. Depending on the incident it may be appropriate for the Manager to place a health and safety alert on the tenant account.

If the adult is considered to be at risk of harm but not in immediate danger:

Members of staff and Board Members must report their concerns as soon as possible on the same working day to their line manager/Senior Management Team member after seeing or hearing something which indicates an adult is at risk of harm.

In such instances, the staff/Board member should, as soon as reasonably practicable, make a note of the following details. This will help to clearly and accurately report what they have seen or heard to their line manager who may use this information when making a referral to the appropriate Social Work team.

- Name, address, approximate age of adult at risk of harm
- Date and time of incident
- Reason for concern in as much detail as possible including location etc
- Any injuries observed
- Details of any witnesses
- Any action already taken
- Any personal safety issues anyone should be aware of

Staff/Board Member responsibilities

Staff/Board Members

The responsibility of the front- line member of staff/Board Member is solely to report any concerns they may have to their line manager/Senior Management Team Member.

It is not the staff/Board Member's role to investigate the incident in any way and on no account should a member of staff/Board Member confront or question the person they suspect of causing the harm.

Members of staff and Board Members must report any concerns they have to their line manager/Senior Management Team Member at the earliest opportunity on the same working day, providing as much detail as possible as outlined above. If the line manager is unavailable, concerns must be reported to another manager or the second line manager.

Line Managers/Senior Management Team Members

The manager is responsible for reporting details of the incident or concern to the appropriate social work team. Managers should flag any reported incidents to a senior manager and may discuss or seek advice before the referral is made.

This will be done the same working day and a form AP1 (**Appendix B**) will be completed and submitted to the social work team within one working day. This can also be submitted on line to Glasgow's Health and Social Care Partnership using the following link

[Adult Protection Referral - AP1 - Glasgow City Council](#)

Confidentiality and GDPR

Information provided to us will normally be treated as confidential and will not be passed to a third party without the consent of the subject. However, our privacy statement allows that we may disclose personal information to other agencies under certain circumstances

This includes sharing information for the purposes of law enforcement and the statement allows us to share information with Police Scotland, Local Authority Departments and the Scottish Fire and Rescue Service.

The AP1 referral

The AP1 needs to include the following information.

- The personal details and circumstances of the adult concerned – eg what they looked like, what they said, what the house looked like
- How the situation meets the three criteria for referral
- Why you believe the action is needed?
- Who else has been told?
- What actions have been taken?
- Have the police been notified?

This will be based on the information provided by the front-line officer outlined in section

The referring agency should be issued with a letter of acknowledgement and after enquiries have taken place, a further letter should be sent to the referring agency detailing action take. This should be sent within five working days.

The following three courses of action may be taken by the Social Work Department following receipt of an AP1

- No further enquiries are to be undertaken in line with the Adult Support and Protection (Scotland) Act 2007 and Glasgow City Council Adult Protection Procedures.
- No further enquiries are to be taken in line with the Adult Support and Protection Act (Scotland) 2007, however the local authority will take some action to address the individual's situation and vulnerability
- Further enquiries will be taken in line with the Adult Support and Protection (Scotland) Act 2007 and Glasgow City Council Adult Protection Procedures and if these result in a case conference or further assessment you will be invited to attend.

Issues to consider

It should be noted that research indicates that up to two thirds of incidents of harm take place in the person's home. The role of the housing professional is therefore potentially important in reporting risk of harm.

It is also important to understand that there are many reasons why an adult at risk of harm may not want to tell anyone what is happening. These include;

- Fear of repercussions
- Loneliness
- Love for the person committing the harm
- Embarrassment
- Fear they will not be believed

Before making a referral, managers should consider whether to inform the adult concerned that a referral is being made. In general, it is considered good practice to let the person know what we are intending to do. However, this might prejudice the outcome of any subsequent social work or police investigation.

This policy is intended to provide basic guidance to staff and Board Members. It is possible that further or more detailed guidance may be required in individual cases and this should be sought from an appropriate professional body. Advice may be sought from the social work team or the police where required.

Appendix B

Maryhill Housing Adult Protection Form (AP1)

A referral can be made to Glasgow City Council social services team by contacting Social Care Direct on 0141 287 0555.

The following information should be included in any referral made. If you do not have all the information you should give as much information as you can.

Section A – Adult at Risk Details:

Name	
Known As (if applicable)	
Date of Birth	
Gender	
Address	
Housing Tenure (Local Authority, Housing Association, Private Rent/Owner occupied)	
Phone number	
Any known communication needs?	
Living situation (e.g. lives alone, with spouse etc, type of accommodation, any known supports, caregivers etc)	
GP Details (Name, Address, Phone number)	

Section B – Referrer Details

Name of referrer	
Occupation	

Location	
Telephone contact	
Email contact	

Section C – Details of Concern

All 3 Points of the following criteria must be met
Describe why the adult is unable to safeguard their wellbeing, property rights or other interests?
Describe what type of harm the adult is at risk from
Describe how this adult is affected by a disability, mental disorder, illness or physical or mental infirmity and are more vulnerable to being harmed than adults who are not so affected?

Describe why you believe the action is needed in order to safeguard the adult from harm (unless set out previously)

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Section D – Other Information

Does the Adult understand what has happened to them?

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Have you discussed the making of this referral with the adult or relevant person? If not, please explain why not. If yes, please set out any views expressed by the adult or that relevant person.

Note: A relevant person would be where the adult is incapable of expressing any views and could be

- The adult's nearest relative
- Any primary carer, guardian or attorney of the adult
- Any other person who has an interest in the adult's wellbeing or property

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If you believe that a crime has been committed has Police Scotland been notified?
Detail below Yes/No/Not applicable – and include police contact details where applicable.

What action, if any, have you taken to ensure the adult at risk is now safe?

Details of the alleged harmer if known

Name:

Address:

Relationship to Adult:

Is there any further additional information that you consider relevant to this referral?

Referrer signature	
Print Name	
Designation	
Contact Details	
Email address	
Date	