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# Adult Support and Protection Policy

Date Effective: 1 July 2025

Date of Review: June 2028



<b>Policy:</b>	Adult Support and Protection
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<b>Approved by:</b>	Riverside Scotland Board
<b>Policy Owner:</b>	Pamela Forrest
<b>Lead Officer:</b>	Clair Christie
<b>Applicable to:</b>	All Riverside Scotland employees
<b>In consultation with:</b>	North Ayrshire Council Child Protection Committee, Riverside Group Safeguarding Team.
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<b>Associated Documents:</b>	Adult support and protection procedures

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## 1. Introduction

We are committed to protecting the right of adults to live in safety and be free from abuse or neglect. The purpose of this Policy is to set out Riverside's approach to safeguarding adults, preventing abuse and neglect and responding to concerns or allegations of abuse and neglect where these arise.

This policy sets out:

- The definition of Adult Support and Protection (ASP) and relevant legislation and Guidance which the Association will apply.
- The responsibilities of the Association and local partner agencies in relation to identifying and dealing with adult support and protection concerns.
- How the Association will ensure effective links are made into Multi Agency Adult Support and Protection Procedures.
- The approach that will be taken to the sharing of sensitive information and confidentiality.
- How the Association will ensure that staff have the relevant knowledge, skills and understanding to respond and deal effectively with any concerns.

This policy is supported by the Association's Adult Support and Protection Operational Procedures.

## 2. Legislation and legal definitions

The Adult Support and Protection (Scotland) Act 2007, defines 'adults at risk' as individuals, aged 16 years or over, who:

- are unable to safeguard themselves, their 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 others who are not so affected.

The presence of a particular condition does not automatically mean an adult is an "adult at risk". Someone could have a disability but be able to safeguard their well-being etc. It is important to stress that all three elements of this definition must be met. It is the whole of an adult's particular circumstances which can combine to make them more susceptible to harm than others.

The Act imposes duties on, and assigns functions to, local authorities in respect of making inquiries, 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.

Harm is defined in the legislation as all harmful conduct including:

- 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 (i.e theft, fraud, embezzlement or extortion); and
- Conduct which causes self-harm

This list is not exhaustive. In general terms, behaviors that constitute 'harm' to others can be physical (including neglect), emotional, financial, sexual or a combination of these.

Harm can be a single or repeated act or lack of appropriate action, occurring within any relationship where there is the 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 involve some or all of the above.

Harm can occur in any setting and also when an adult lives alone or with a relative. Staff will be aware that vulnerable adults using Riverside's services might disclose they have been subject to harm:

- In their own home.
- In the community.
- Having been abused by a relative, friend or acquaintance:
- In Riverside Scotland premises, as adults might be at risk of harm when they are using our service, for example from another person. If the alleged perpetrator of harm is a member of staff, an internal investigation will not take precedence over reporting concerns to allow an investigation by the Health and Social Care Partnership and or/Police.

### 3. Agency Responsibilities

No single agency has a monopoly in the identification and management of abuse. All agencies that work with vulnerable adults have a shared responsibility for protecting and safeguarding their welfare. Each has a different contribution to make.

Riverside Scotland does not act as a lead agency and in most situations the Association's role will be to: identify concerns, submit Adult Support and Protection referrals, share relevant information, contribute to risk assessments and Adult Protection Plans as needed, and implementing actions following agreement with lead agencies, for example, following an inter-agency case conference. A key role for the Association will be to proactively identify initial risks. Staff must always be aware of risk factors, ensuring all necessary referrals are made to lead/specialist agencies.

It is important for all employees to know the limit of their knowledge and expertise and that they must seek the skills and expertise of others or specialist services to ensure the protection of vulnerable adults.

It is the responsibility of Local Authorities to undertake ASP inquiries and if necessary, formal ASP investigations to establish:

- Whether or not an adult is at risk from harm or suspected harm; and if so,
- Which supports might be necessary for the adult
- Which, if any, of the protective measures available in terms of the legislation are most appropriate to an adult at risk's individual circumstances.

If there has been criminal activity, the Health and Social Care Partnership will also notify Police Scotland. Health and Social Care Partnerships may also convene Adult Support and Protection Case Conferences to ensure a robust multi-agency response to providing support and protection to adults.

#### 4. Confidentiality

There is a clear requirement across agencies to co-operate in relation to the protection of adults seen to be at risk of harm. Riverside Scotland will ensure appropriate mechanisms are in place for staff to submit Adult Support and Protection referrals to the Health and Social Care Partnership and or report criminal activity to the Police.

To ensure appropriate protective measures can be put in place, it is recognized that confidential information will need to be shared with other workers, managers and agencies on a need to know basis.

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 General Data Protection Regulations. However, the disclosure should be limited to the relevant parties only.

#### 5. Reporting and Sharing Information

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 Riverside Scotland staff may have regarding the safety and well-being of an adult at risk of harm should be brought to the attention of the Line Manager immediately.

Although it is recognized that a person's privacy must be always protected, in situations where harm is suspected, there must be free communication between participating agencies throughout an Adult Support and Protection Inquiry and or investigation. If a staff member is given any information relating to adult harm 'in confidence' they must make clear that any information must be passed on to the H&SCP and or the Police.

In all cases of suspected adult harm, it must be recognized that children involved in the situation might also be at risk and that Child Protection Procedures might have to be invoked.

If interpreter services are needed these should be provided but this should not delay the submission of an Adult Support and Protection referral or making police aware of criminal activity. Using a member of the adult's family as an interpreter or communication support worker should be avoided.

## 6. Staff Training and Development

All staff members will receive training in relation to Adult Support and Protection, relevant local procedures and their responsibilities in relation to Adult Support and Protection, including the necessary Disclosure Scotland Protection of Vulnerable Groups checks.

Staff responsible for implementing this policy directly will have training appropriate to their needs and to the needs of Riverside Scotland.

Riverside Scotland will appoint a key individual in relation to Adult Support and Protection and they will undertake Adult Support and Protection Training Level 2 and refresh this training every two years.

## 7. Risks

Riverside's risk appetite in relation to safeguarding adults is low. It is fundamental to our values, the reputation of the organisation, and the risks associated with customer wellbeing and safety that we meet legislative, regulatory and good practice guidance around safeguarding adults.

The risks that we are mitigating by having this policy are:

- Risks of harm to our customers that may occur if safeguarding concerns are not recognised, reported and addressed appropriately.
- Risks of non-compliance with key safeguarding legislation, for example, Adult Support and Protection (Scotland) Act 2007
- Risk of reputational damage that may occur through not following key legislation and guidance in relation to safeguarding.

## 8. Appeal & Complaints

If a customer wishes to complain about the service they have received under this Policy/Procedure, this should be handled through our Complaint Handling

Procedure, which is governed by the SPSO (Scottish Public Services Ombudsman)

These associated procedures are available on our website at

[Customer feedback](#) | [Complaints](#) | [Riverside Housing](#)

And a written copy is also available by contacting our Customer Service Centre.

## 9. Equality, Diversity and Inclusion

Riverside is committed to Equality, Diversity & Inclusion. We strive to be fair in our dealings with all people, communities and organisations, taking into account the diverse nature of their culture and background and actively promoting inclusion. This policy aligns with Riverside's [Equality, Diversity and Inclusion Policy](#) and has been subject to an Equality Impact Assessment.

## 10. Policy Review

Riverside Scotland will carry out a review of this policy every three years and aim for continuous improvement to reflect the national guidelines, changes in legislation, and developments in joint working. The Association's named person will be responsible for ensuring that the policy is implemented in full and monitor the effectiveness of this policy and recommend policy changes as needed. This policy will be made available to members of the public upon request.