

# Speak up • Speak out

## We can help

Information for adult care workers



Everyone has the right to feel safe. Most people with a physical or mental illness, learning disability or other care needs live their life comfortably and securely, either independently or with assistance.

However, for a small number of people, disability or illness may prevent them from being able to keep themselves safe from harm.

The Adult Support and Protection (Scotland) Act 2007 is a law designed to protect people who may be at risk of being harmed or neglected.

The Act spells out who is considered as an adult at risk. This is someone who is over 16 years old who is unable to stop another person from harming, exploiting or neglecting them because they have a disability or they are mentally or physically ill.

They may also be too frail to protect themselves.

## What we mean by harm

Harm – or abuse – can happen in different ways. It can be physical or psychological, unlawful behaviour (eg theft) or behaviour leading to self harm. It may be:

- **financial** – stealing, cheating, pressuring to hand over or sign over property or money, misusing property or welfare benefits or stopping the person from getting their money or possessions
- **neglect** – failing to make sure the person has medical or physical care, access to a doctor or other services, or denying medication, food or heating
- **physical** – for example, hitting, shaking or serious or frequent falls, fractures, unexplained bruising or pressure sores (grade 3 or above)
- **sexual** – any sexual activity that the person does not feel comfortable with, want or understand
- **psychological** – any threats of harm, being left alone, being humiliated, being intimidated or verbally abused
- **discrimination** – because of age, disability, gender, ethnic background, faith/religion or sexual orientation
- **information** – withholding information or advice about the person's right and entitlements
- **self harm** – sometimes when people are upset they can hurt themselves by hitting or cutting themselves.

## Who may cause the harm?

Anyone. It could be a relative, husband or wife, friend, neighbour, doctor, carer, volunteer or stranger.

## Where can harm happen?

Anywhere. It can happen at home, on the internet, on a hospital ward, in a care home, at a social club or day centre, at work or in a public place.

## What to do?

If you suspect that someone you know or work with is being harmed – tell someone immediately.

If you find out about something that happened many years ago, it is still important to report it, as the person may not be able to tell anyone else, and there may be others at risk.

**Respond** to the immediate situation:

- assess the risk and attend to any immediate safety issues
- if the person is unconscious, in immediate danger or if urgent assistance is needed, contact the emergency services by phoning **999**
- if you suspect that a crime has been committed, you should always report it to the police by phoning **101**.

**Report** your concerns once you have dealt with the immediate situation:

- discuss your concerns with your line manager; if your line manager is not available, contact another manager or Social Care Direct on 0131 200 2324
- in the case of physical or sexual abuse, immediate reporting is essential; you should discuss this with your line manager immediately and agree who will contact the police; ANY suspected abuse, serious or frequent falls, fractures, unexplained bruising and pressure sores (grade 3 or above) must be reported to Social Care Direct; this is to ensure that the person receives appropriate medical attention and that vital evidence is not lost; you can find

more information on the multi-agency guidelines and local adult protection procedures at [www.edinburgh.gov.uk/adultprotection](http://www.edinburgh.gov.uk/adultprotection)

### **Record:**

- the details of the incident and what action you have taken
- forward your record of the incident through the appropriate channels – social work, the Care Inspectorate etc.

### **Who to contact?**

Here are the contact details for help and advice:

#### **The City of Edinburgh Council**

**Social Care Direct**, the Council's social work telephone service

**0131 200 2324**

[socialcaredirect@edinburgh.gov.uk](mailto:socialcaredirect@edinburgh.gov.uk)

**Emergency social work service** outwith office hours

**0800 731 6969**

Opening hours

Monday to Thursday: 4.45pm to 8.30am next day

Weekends: 3.45pm Friday to 8.45am Monday

Public holidays: 24 hour service

#### **Police**

**101**

In an emergency call **999**

**NHS Inform** (for information)

**0800 22 44 88**

## What happens next?

Social work, police and NHS Lothian staff will work together to decide what action needs to be taken to support and protect the person. They will work with the adult at risk, and where appropriate, their family/ carers, and take into account their wishes as far as possible when deciding what to do. You may be contacted during this process because your knowledge and experience of working with the person may help to determine how best to keep them safe.

The social work service may arrange a multi-agency adult protection case conference to develop a support and protection plan with the adult at risk. You can find more information on the multi-agency guidelines and local adult protection procedures at [www.edinburgh.gov.uk/adultprotection](http://www.edinburgh.gov.uk/adultprotection)

## More information about legislation, guidelines and procedures

The Adult Support and Protection (Scotland) Act 2007 was introduced in October 2008. The purpose of the Act is to provide ways in which support and protection can be offered to people with disability and/or illness, where this affects the person's ability to protect themselves from harm.

The City of Edinburgh, East, Mid and West Lothian and Scottish Borders councils, along with Police Scotland, NHS Lothian and NHS Borders have developed multi-agency guidelines for investigating and managing situations of neglect or abuse of adults who are vulnerable. They define what is meant by adults at risk and explain abuse. They also outline the responsibilities of each agency when there are concerns that an adult is being harmed. These guidelines apply to all registered care services.

In addition, the City of Edinburgh Council has produced local procedures for its staff, outlining which teams and officers require to be consulted in such cases. These procedures also describe the process of inter-agency referral discussion with Police Scotland and NHS Lothian, and how and when adult protection case conferences should be conducted. You can find more information at [www.edinburgh.gov.uk/adultprotection](http://www.edinburgh.gov.uk/adultprotection)

## What do you need to do as someone who works with adults at risk?

### Get the person's consent if you can

If possible, ask the adult for their view of the situation. Explain that you will report concerns to your line manager. It is always preferable to obtain consent to take further action, but it is not essential.

### If consent is not given

The person's circumstances and their view of the situation must be reported to your line manager.

Further action must be taken in the following circumstances:

- imminent physical threat to the person
- public safety, where other people are at risk of being harmed
- a person who provides a service is suspected of causing the harm (eg a care worker, nurse, doctor, police officer, teacher or volunteer)
- you are unsure of the person's ability or capacity to make a decision about the situation
- you are concerned that the person is not able to consent or co-operate because they are pressured by another person or afraid of another person.

If the person lacks the capacity to make a decision about further action, you must take action and report your concerns (see 'What to do').

## Confidentiality

When we are working with people we have access to their personal information. We want to keep that information confidential. However there are certain circumstances where we need to share information with other public agencies in order to prevent a crime, to protect an individual or members of the public.

## Training

If you provide a care service to adults, your service should make sure that all employees (including volunteers and temporary staff) have received training in adult protection.

Both the Council and NHS Lothian are running free basic awareness courses in adult protection. If you have not attended a course, please speak to your line manager to discuss the training you will need. For Council staff, you will find information on the Orb intranet site. For NHS Lothian, look at the Protection pages on your intranet for more information.



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