

Group Adult Support & Protection Policy

We will provide this policy on request at no cost, translated, in large print, in Braille, on tape or in another non-written format.

We can produce information on request at no cost in large print, in Braille, on tape or in another non-written format. We can also translate this into other languages. If you need information in any of these formats, please call us on 0800 479 7979 or email info@wheatley-group.com

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در صورت درخواست، می‌توانیم اطلاعات را در چاپ بزرگ، خط بریل، روی نوار یا در فرمت غیروشتاری دیگری ارائه دهیم. همچنین می‌توانیم اطلاعات را به سایر زبان‌ها ترجمه کنیم. در صورت نیاز به اطلاعات بیشتر در هریک از این فرمت‌ها، لطفاً از طریق شماره 0800 479 7979 با ما تماس بگیرید یا ایمیلی به info@wheatley-group.com ارسال کنید.

ہم درخواست پر معلومات کو بڑے حروف، بریل، ٹیپ پر یا کسی اور غیر تحریری صورت میں بغیر کسی لاگت کے مہیا کر سکتے ہیں۔ ہم اس کا دوسری زبانوں میں ترجمہ بھی کروا سکتے ہیں۔ اگر آپ کو ان میں سے کسی صورت میں یہ معلومات درکار ہوں تو برائے کرم ہمیں 0800 479 7979 پر کال کریں یا info@wheatley-group.com پر ای میل کریں۔

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1. Introduction

This policy is part of a suite of policies designed to safeguard and protect people. This Adult Support and Protection Policy outline how we support customers at risk of harm and guides both customers and staff in understanding our responsibilities and the response process when we are concerned about an adult.

This policy should be read in conjunction with the following policies:

- Child Protection;
- Multi-Agency Public Protection Arrangements (MAPPA); and
- Domestic Abuse.

Protecting adults at risk is a shared responsibility. Everyone has a part to play, including social services, police, health, housing, and social care organisations. Adults at risk should be supported to live free from harm and make their own choices wherever possible.

This policy explains how we work with others to protect adults at risk, as defined by the Adult Support and Protection (Scotland) Act 2007. As an organisation, we have a duty of care to report any concerns or disclosures about harm, and it is therefore our expectation for staff to support with this to help safeguard our customers.

2. Policy Aims & Objectives

Our Aims

This policy has been designed to support staff and customers in understanding our approach to Adult Support and Protection. The policy aims to support staff to:

- understand Adult Support and Protection legislation;
- understand and recognise different types of harm;
- effectively support those at risk of or affected by harm;
- uphold the wellbeing and rights of all those who use our services; and
- effectively report concerns to the relevant statutory agencies.

Our Objectives

For an effective approach to Adult Support and Protection to be embedded, our objectives are to:

- make sure our policy and supporting processes are clear, practical and easily accessible;
- ensure relevant staff are aware of their role and responsibilities and that these are clearly defined;
- provide training to relevant staff so they can confidently recognise and respond to signs of harm;

- build partnerships with agencies responsible for investigating adult protection concerns and supporting adults at risk through regular structured contact; and
- the Group Protection Team will monitor Adult Protection activity across the organisation to determine themes arising and ensure continuous improvement and strengthening of our approach through quality assurance of reports.

3. What is Adult Support & Protection?

Adult Support and Protection is about keeping people safe from harm when they may not be able to protect themselves.

The Adult Support and Protection (Scotland) Act 2007 was developed to protect adults at risk of harm. The Act states that councils and other public services must work together to help adults who are at risk. The Act clearly defines an adult at risk. The Adult Support and Protection Code of Practice is a statutory guidance document issued under the 2007 Act. The purpose of the code of practice is to ensure consistent, lawful and effective safeguarding of adults at risk of harm across Scotland.

Who is an Adult at Risk?

The Act defines an adult at risk as someone aged 16 or over who:

- can't protect their own wellbeing, property, or rights;
- is at risk of harm; and
- is more vulnerable because of disability, illness, or mental health.

All three of these points must apply for someone to be considered at risk under Adult Support and Protection legislation. This is known as the '**three-point test**'. Having a condition such as a disability doesn't automatically mean that someone is an adult at risk under the 2007 Act. All three criteria must be met. It is the full picture of someone's circumstances that may make them more vulnerable to harm than others.

Where staff have concerns about an adult, but the adult does not meet the three-point test, a report can be made to the local authorities' social work department, who will consider other avenues for support. A multi-agency approach will be used to determine the best way to support the individual, which may include providing practical help, health, or social care support.

There can be some overlap in legislation between Adult Support and Protection and Child Protection. Child Protection guidance applies to children and young people up to the age of 18. To ensure that individuals aged 16-18 do not fall between eligibility and service criteria, an assessment will be undertaken by statutory services on how to best manage the risk and meet their individual needs.

When staff are concerned about a person at risk who they know or believe to be between the ages of 16-18, then a child protection referral should be completed. Statutory services will then determine whether the referral should be dealt with under adult or child protection processes.

4. Types of Harm

What is Risk of Harm?

The 2007 Act clearly states that an adult is at risk of harm if:

- another person's conduct is causing (or is likely to cause) harm to the adult; or
- the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm.

What is Harm?

The 2007 Act states that harm includes all harmful conduct and can be caused by someone else or by the person themselves. It includes:

- physical harm (e.g. hitting, pushing);
- psychological harm (e.g. causing fear, alarm, or distress);
- unlawful actions affecting property, rights, or interests (e.g. theft, fraud, embezzlement or extortion); or
- self-harm (e.g. hurting themselves intentionally or refusing help).

Harm can happen anywhere, at home, in care settings, or in public settings and may be a single or repeated act.

Types of Harm or Abuse

Harm under the 2007 Act includes a wide range of categories, not limited to those listed below. Examples of harm not explicitly listed include domestic abuse, gender-based violence, forced marriage, human trafficking, stalking and hate crime. These are all considered crimes that can contribute to harm. Alleged or actual victims of crime should always be encouraged to report a crime. Staff should report suspected or actual crimes against an adult at risk in Scotland, even if the adult does not want them to, as this is a legal duty under the 2007 Act.

Sometimes, the person causing harm may also be at risk. This needs to be taken into consideration when implementing Adult Support and Protection processes. Where both perpetrator and victim are considered as being an adult at risk, separate Adult Protection Referrals should be submitted.

Harm can take many forms and affect individuals and/or multiple people. It can occur in relationships, service settings or within communities. Although we must

respond to each incident of harm or potential harm, it is important to look beyond single incidents and consider patterns and underlying dynamics.

Certain property types may increase risk, for example, someone with suicidal ideation who lives in an upper level of a high-rise and who has expressed intent to come out from height at the property. In such cases, we work closely with the individual and partner agencies to reduce the risk of self-harm and explore housing options with the individual, as well as support options.

Below are some examples of the types of harm that staff may observe or that may be disclosed to them. The examples are not exhaustive and should only be used as a guide.

Physical harm or abuse involving actual or attempted injury to an adult who is defined as being at risk. For example:

- slapping, pushing, hitting, kicking;
- misuse of medication;
- pinching, biting, shaking;
- forcible feeding;
- restraining or holding an individual back – locking in a room, tying to a bed or chair;
- inappropriate touching; and
- being threatened with a weapon.

Sexual harm or abuse involves an activity of a sexual nature where the adult at risk cannot or does not give consent. For example:

- inappropriate sexual contact, touching, kissing;
- sexual assault, rape, non-consensual contact, sexualised comments;
- indecent exposure;
- being made to listen to or watch pornography without consent; and
- voyeurism.

Psychological and emotional harm or abuse resulting in mental distress to the adult at risk. For example:

- threats, manipulation, inappropriate treatment;
- humiliation, overt control and dominance;
- isolation and abandonment;
- bullying and intimidation by word or act;
- access to a person being denied;
- misuse of power or influence;
- threats of harm or abandonment;
- putting down, ignoring someone;
- controlling behaviour;
- taking away privacy; and
- constant criticism.

Financial or material harm or 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; and
- no control over household finances, with the adult at risk being given an allowance at the perpetrator's discretion.

Verbal harm or abuse involving the use of language to cause distress to the adult at risk. For example:

- Inappropriate use of language, disrespect, name-calling, shouting, sarcasm, inappropriate use of humour, and using language to confuse or to exclude.

Institutional harm or abuse involves the adult at risk having their individuality ignored. For example:

- Removal of individuality within an institution by strict, inflexible regimes and routines, lack of accommodation relative to individual choice, lifestyle, etc.

Discriminatory harm or abuse refers to the abuse of an adult due to prejudice against their personal characteristics and can affect the adult at risk in several ways.

For example:

- Unequal treatment based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation (known as 'protected characteristics under the Equality Act 2010');
- Verbal abuse, derogatory remarks or inappropriate use of language related to a protected characteristic;
- Denying access to communication aids, not allowing access to an interpreter, signer, or lip-reader;
- Denying basic rights to healthcare, education, employment, and criminal justice relating to a protected characteristic; and;
- neglect of accommodation, self-neglect, and
- substandard service provision relating to a protected characteristic.

Self-harm where the adult at risk carries out acts to cause injury or distress to themselves. For example:

- refusal to eat or drink;
- substance misuse;
- cutting, burning, scalding, or hitting parts of own body;

- calculated and dangerous risk-taking;
- banging head or other parts of the body;
- swallowing harmful substances;
- attempts or makes threats of suicide; and
- overdosing.

Signs of Harm

There are many signs of harm. Customer facing staff are best placed to be able to recognise and respond to signs of harm and are supported to do so.

Some examples of signs of harm that staff may observe:

- unexplained or unusual injuries;
- changes in behaviour;
- fear of another person;
- unexplained deterioration in health or appearance;
- misuse of medication;
- an unexplained delay between illness or injury and the person getting appropriate treatment;
- unpaid bills or sudden debt;
- another person using the adult's possessions, bank account or property without their informed consent;
- poor health or hygiene;
- hostile behaviour from carers;
- lack of basic needs like food or heating;
- not being informed of their rights or being misinformed; and
- victims of repeated antisocial behaviour.

The above list is not exhaustive. Our customer facing staff are trained to recognise these signs and respond quickly. We also work with other agencies to provide extra support when needed.

5. Our Role in Adult Support & Protection?

As a housing, care and property management provider, our main role is to:

- recognise signs of harm, abuse or adults potentially at risk;
- respond appropriately and effectively; and
- report concerns to statutory agencies in line with Adult Support and Protection legislation and requirements. If staff are unsure of what action to take, they should speak with their line manager or contact the Group Protection Team for guidance.

Adult Support and Protection is everyone's responsibility. Appendix 1 sets out the process if staff are concerned that an adult may be at risk of harm or abuse.

Recognising signs of harm

Our customer facing staff are well placed to identify customers who may be at risk of harm or abuse and are trained to identify signs of abuse and remain alert.

We may learn that someone is at risk through:

- what a customer tells us;
- information from someone else;
- observations by staff;
- insights from our customer information; and
- multi-agency meetings (e.g. case conferences).

If it's safe to do so, we will gather enough information to decide what action to take, regardless of how we have become aware.

Responding to adults at risk of harm

Our staff will respond to those affected by harm or abuse by reporting our concerns and offering additional support to the individual. There are clear processes in place to support staff to respond appropriately and report their concerns.

If someone tells us they're being harmed:

- our default position will be to believe them;
- we act quickly to offer help;
- we will create a safe environment for discussions relating to harm and can offer options like same-sex staff or translation services;
- we treat everyone with empathy and respect, and without judgment; and
- we explain that while we keep things confidential as far as practicably possible, we may need to share information with social work or police to keep people safe. This is linked to our requirement within the 2007 legislation and the duty of care that we have to protect our customers from risk of harm. Any information shared will be in accordance with the rules for sharing personal data. See section 11 for further information.

Responding to Self-Harm and Suicide Risk

Some customers may be at risk of self-harm or suicide. The Wheatley Group has a Suicide Prevention Framework to guide staff in supporting someone experiencing suicidal behaviours. Warning signs include:

- feeling anxious, depressed, or withdrawn;
- changes in eating, sleeping, or drinking habits; and/or
- difficulty coping with everyday problems.

If we're concerned, we will:

- take all signs seriously;
- ask how the person is feeling;
- listen carefully;

- offer support and refer to specialist services; and
- report concerns to statutory agencies or Police Scotland when needed.

We work in partnership with police, social work and health agencies and will support the coordination of any investigations.

Reporting concerns about an adult at risk

Local Authorities lead on Adult Protection; however, keeping people safe works best when everyone - housing, care, health, police, and other services - shares information and works together. Before making a report, you should ensure that you are following the rules regarding data sharing.

If we believe someone may be at risk of harm:

- We report it to the Local Authority using their specific process and standard forms or by calling the social work duty team. An example of an Adult Support and Protection referral form (AP1) can be found appended to this policy (Appendix 2).
- If a crime may have or has happened, we have a duty of care to report this to Police Scotland on 101 or 999, depending on the urgency.
- Escalate any concerns to your line manager or to the Group Protection Team. For Wheatley Care, this may be to on-call outwith hours.

You can find contact details for Adult Support and Protection Teams across the 32 local authority areas here: <http://www.actagainstharm.org/getting-help/find-your-local-contact>.

If a **neighbour or another person tells us someone is at risk**, we'll usually let the individual concerned know that we're reporting it if it is appropriate to do so, unless it's unsafe or not possible to do so. Staff should speak to their manager or the Group Protection Team if unsure.

Where there is a concern that an adult is at risk of harm, consent does not need to be obtained to submit a referral to statutory agencies. The reason why consent was not gained should be recorded on the AP1 referral.

6. A Personalised Approach to Adult Support & Protection

We adopt a personalised approach to Adult Support and Protection, tailoring services to each customer's needs. We will work with partner agencies, focusing on the individual's outcomes, wishes and strengths, rather than just a service-led response. We will work collectively to ensure that the adult feels empowered to make their own decisions, promoting their choice and control in their lives. Key elements of this include:

- seeking the person's views at the earliest opportunity;
- supporting and contributing to the development of strength-based plans;

- supporting the least restrictive intervention to safeguard the adult at risk from harm; and
- consideration of any reasonable adjustments in line with the Equality Act 2010.

Our approach to Adult Protection includes consideration of human rights in accordance with the Human Rights Act 1998, as well as considering any children's human rights in line with the UNCRC (Incorporation) (Scotland) Act 2024 (where applicable). We will reflect on the effect of the UNCRC (Incorporation) (Scotland) Act 2024 in our service design, delivery and decision-making, including the best interests of children and the right of children to be heard.

Our customer facing staff will get to know our customers and understand the issues affecting them. Our unique position helps us to spot signs of harm early, like sudden rent arrears or repeated antisocial behaviour, and allows us to respond quickly.

We provide advice and practical solutions to improve home security and personal safety, including safety products and guidance on online safety. Where appropriate, safety apps can be demonstrated to help individuals stay protected.

If an individual feels unsafe in their current home, we will respond and offer a Housing Options interview and work with partners to explore safer housing solutions. We will also refer to our Anti-Social Behaviour Policy when needed.

Alongside these measures, we offer wraparound support to individuals who need extra assistance, ensuring they have access to the right services and resources to meet their needs.

7. Measuring our Impact

We will measure our impact in Adult Support and Protection by:

- monitoring the number of Adult Support and Protection referrals submitted; and
- reviewing referrals routinely to understand emergent themes or hotspots of concern, which will then inform our work on adult protection.

This approach will guide our future actions, enable us to allocate resources effectively and identify training and support needs.

8. Legislation & Strategic Drivers

This policy is based on key Scottish laws that protect adults and support their rights:

- **Adult Support and Protection (Scotland) Act 2007** – protects adults who may be at risk of harm.
- **Adults with Incapacity (Scotland) Act 2000** – helps protect people who can't make decisions for themselves.
- **Mental Health (Care and Treatment) (Scotland) Act 2003** – supports people with mental health conditions.
- **Protection of Vulnerable Groups (Scotland) Act 2007** – helps ensure people who work with vulnerable groups are safe to do so.
- Data Protection Act 2018
- Human Rights Act 1998
- General Data Protection Regulation (Regulation (EU) 2016/679)
- Domestic Abuse (Scotland) Act 2018
- United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024

Strategic Drivers:

- Adult Support & Protection Code of Practice 2022

9. Policy Review & Consultation

This policy has been developed in consultation with key stakeholders working in statutory agencies. The policy shall be reviewed every three years; however, more regular reviews will be considered where, for example, there is a need to respond to changes in legislation or guidance. Reviews will consider legislative, performance standard and good practice changes.

The Wheatley Group will publish this policy on our staff intranet, WE Connect, and on our website. A hard copy is also available on request. Customers may also request a copy of the policy in other formats and community languages, e.g. Braille.

10. Policy Awareness & Training

Staff across the organisation will be aware of the existence of this policy and of the requirement to apply the process contained within when an adult has been identified as being at risk. Customer facing staff will be trained in Adult Support and Protection policy and process.

11. Confidentiality & Data Protection

Everyone working in our organisation has a duty to help protect children, young people, and adults who may be at risk.

Sometimes, we may need to share personal information with other organisations to keep someone safe. This must follow strict rules under data protection laws,

including the Data Protection Act 2018 and General Data Protection Regulations GDPR.

Before sharing any information:

- staff must check the Wheatley Group's Data Protection Policy (especially Appendix 2);
- staff must be satisfied that data sharing complies with the General Data Protection principles in Article 5 UK GDPR and that there is a lawful basis for sharing the data;
- the decision to share must be recorded, including the reason;
- information should only be shared on a "need to know" basis; and
- an audit trail must be kept.

The Wheatley Group recognises that Adult Protection can include very sensitive information. If staff are unsure, they should speak to the Wheatley Group Information Governance Team for advice on data protection issues that arise from Adult Protection concerns and reports, and to ensure that any data sharing is in accordance with the UK GDPR, the Data Protection Act 2018 and the requirements of the Wheatley Group's Data Protection Policy and the Group's Special Category Data Policy.

Any requests for information should be shared with the Information Governance Team, who will check that there are data sharing agreements in place.

12. Equal Opportunities Statement

This Policy aligns the Wheatley Group's Equity, Diversity and Inclusion (EDI) and Human Rights Policy. We recognise our pro-active role in valuing and promoting EDI and equity of opportunity by adopting and promoting fair policies and procedures.

We are committed to providing fair and equitable treatment for our stakeholders and will not discriminate against anyone on the grounds of race, ethnicity, nationality, language, religion, belief, age, sex, sexual orientation, gender reassignment, trans history, disability, marital status, pregnancy or maternity. We will endeavour to achieve fair outcomes for all.

As required, we undertake Equality Impact Assessments on relevant policies, strategies, projects and frameworks to help us take appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures and to maximise positive impacts.

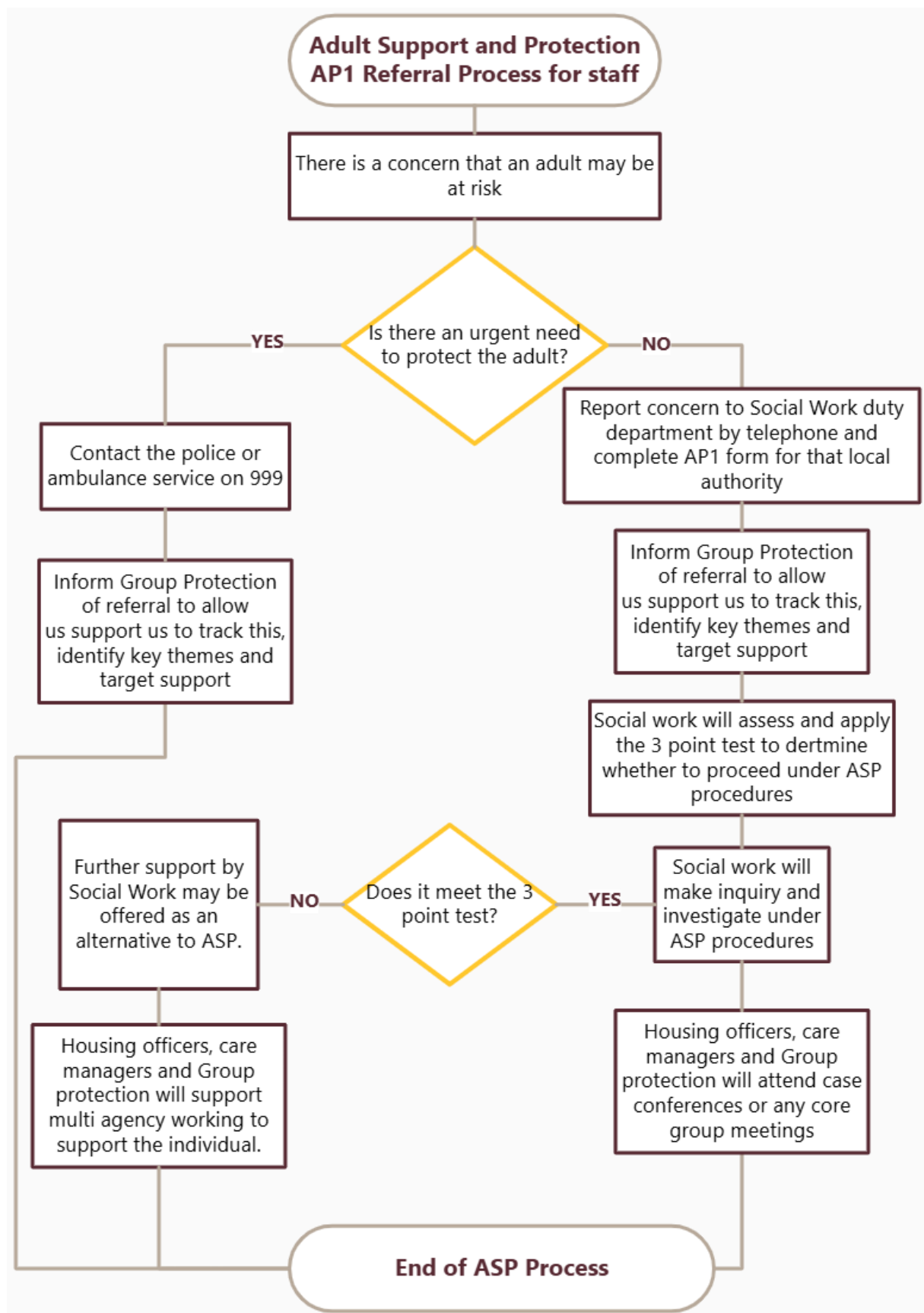
13. Complaints

We aim to get things right the first time. However, if a customer is unhappy with this policy or how it's applied, they can make a complaint.

A summary of our Complaints Policy and Procedure is available on our Wheatley Group and subsidiary websites.

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Appendix 1



Appendix 2

ADULT PROTECTION REFERRAL FORM (AP1)

A word copy of this form suitable for typing and printing can usually be found on the Local Authority/HSCP and NHS Adult Support and Protection webpage.

ADULT AT RISK DETAILS (please PRINT details, thank you)

NAME		DOB	
HOME ADDRESS		CURRENT WHEREABOUTS	
POSTCODE		POSTCODE	
TEL NO:		TEL NO:	
GENDER		ETHNIC ORIGIN	
RELIGION			
COMMUNICATION NEEDS (Please provide details, including communication aids by the adult and specify the first language if not English)			
GP NAME / ADDRESS			

REFERRER DETAILS (please PRINT details, thank you)

NAME		DESIGNATION	
AGENCY		DIRECT DIAL TEL NO:	
EMAIL ADDRESS			
RELATIONSHIP TO ADULT BEING REFERRED:			
SIGNATURE			
DATE			

IS IT SUSPECTED THAT A CRIME HAS BEEN COMMITTED, AND HAVE POLICE BEEN INFORMED? (Include date, time, known action taken, etc.)

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DETAILS OF CONCERN (please PRINT details, thank you)

1) IN YOUR OPINION IS THE ADULT ABLE TO SAFEGUARD THEIR OWN WELLBEING, PROPERTY, RIGHTS OR OTHER	
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INTERESTS? (If no , please state reason)	
2) IN YOUR OPINION IS THE ADULT AT RISK OF HARM? (if yes , please state reason)	
3) IN YOUR OPINION IS THE ADULT AFFECTED BY DISABILITY, MENTAL DISORDER, ILLNESS OR PHYSICAL OR MENTAL INFIRMITY (if yes , please specify)	
GIVE DETAILS OF HARM (SUSPECTED / WITNESSED / DISCLOSED / REPORTED). DATES, PROTECTIVE ACTIONS TAKEN INCLUDE DETAILS OF ANY PREVIOUS CONCERNS. (please use separate sheet if required)	
HAVE YOU (OR ANY OTHER PERSON) TOLD THE ADULT THAT THIS INFORMATION WILL BE SHARED WITH SOCIAL WORK OR OTHER RELEVANT AGENCIES	YES / NO (delete as appropriate) If NO please state reasons

DETAILS OF PERSON SUSPECTED OF CAUSING HARM (If known) (please PRINT details, thank you)			
NAME		RELATIONSHIP TO ADULT:	
ADDRESS		TEL NO	

DETAILS OF MAIN CARER / RELATIVE / POA / GAURDIAN (please PRINT details, thank you)			
NAME		RELATIONSHIP TO ADULT:	
ADDRESS		TEL NO	