

CONSULTATION QUESTIONS

This consultation questionnaire sets out the consultation questions from within the relevant sections of the revised Adult Support & Protection Code of Practice.

The revised Code of Practice is a larger and more comprehensive document than the original Code and we welcome your views on any of the changes made. In particular, we would appreciate your views on the following matters.

Please insert your response to the questions in the text boxes provided.

Question 1: Chapter 3

This chapter of the Code sets out the principles of the Adult Support and Protection legislation and the definition of an adult at risk.

Does this chapter help in your understanding of the legislation and whom it applies to?

If not, what changes would you suggest?

Yes, this was a clear and concise overview of the legislation with defined headings and appropriate definitions where necessary. This contributed to the accessibility of the legislation. Although this may not be aimed at service users it may be beneficial for them to have an understanding in relation to practitioner's roles and responsibilities.

Question 2: Chapter 5

This chapter of the Code considers the principle of ensuring full regard is given to the wishes of the adult, and ensuring that the adult participates in decisions as fully as possible.

Does this chapter adequately covers the issues arising from ensuring as far as possible full participation by adults in decision making?

If not, what changes would you suggest?

We felt that chapter 5 of the consultation was fairly comprehensive with the following reservations:

- Information regarding alternative language provision would have been useful
- Would adaptations be envisaged for a wider/ more diverse population?
E.g. people with dementia and young people in transition to adult services.
- Guidelines for multi agency meetings are not mandatory, which we consider to be a missed opportunity for consistency throughout the country.
- There is no mention of service users/adults being involved in audits.

- There was no immediately apparent provision for people with barriers to communication to aid access to the consultation process itself.

Question 3: Chapter 6

This chapter includes new guidance on large scale inquiries. Does this provide sufficient clarity for this type of inquiry or are there additional matters you would wish considered?

More guidance on the practicalities of interagency collaboration could be considered.

Question 4: Chapter 11

This chapter is a new addition to the Code and considers a multi-agency approach. Does this provide sufficient clarity and support for your organisation in handling multi-agency assessments and practice?

Are there other matters that you consider should be included in this chapter?

Comments

Question 5: Users and Carers

The Code seeks to develop and articulate good practice as regards service user and carer involvement, particularly in chapters 5 and 16. Does it succeed in this? If not please suggest ways in which this area could be improved on.

We found many of the statements to be relevant and inclusive towards service users and carers. It does promote good practice. However a trend we found throughout the chapters was that we felt there was a need for more information into how the statements laid out are intended to work in practice for example define and emphasise where/how carers or service users will be involved. These areas could be improved by simply providing examples. As without this we found many of the statements, especially in chapter 5 to be generalisations and quite vague. Monitoring the implementation of some of the statements we also found will be difficult and although in some areas highlighted there will be supervision we do not foresee this working in the long run. Instead of supervision we think work of including and informing carers and service users needs to be embedded into initial training. Chapter 16 while the setting up of a committee to oversee does sound promising – we wondered if there is a place for carers or service users on the panel, as although the committee is gathering the views of service users and carers there is the potential that their views may be lost amongst the professionals.

Question 6:

Do you consider this revised Code of Practice will enable you to carry out your professional responsibilities effectively? Please feel free to comment on any areas of the Code which you consider could be improved in any way.

The way in which the code enables us to carry out professional responsibilities effectively or otherwise will depend on the culture of the respective organisations in which we work. Where the codes are referred to in disciplinary processes then this can cause 'defensive practice' where workers seek to justify their actions in accordance with the codes rather than using them as a tool to improve the lives of service users. In relation to this, the Codes of Practice are subject to individual interpretations, each person has a different idea of levels of risk. This makes it more difficult to appear consistent to others looking at your practice because we all have different approaches to measuring risks.

One area in which the codes could be improved would be to provide greater guidance on work with adults whose ability to control their actions as difficult to determine. This is an area of practice which is difficult because where there may be a clear case for intervention, there can also be disagreement amongst professionals about how self-control can be measured and about what forms of intervention are appropriate. This impacts onto other areas such as the sharing of confidential information and should be addressed in more detail.

The code of practice states that '*any protection order under the act represents a serious intervention in an adult's life, a sheriff must be satisfied that an adult is at risk of serious harm, rather than harm, before granting any such order*'. The expectation of workers working in this field is that the Adult Support and Protection (Scotland) Act 2007 will lead to significant improvements in safeguarding adults at risk of harm and in responding to concerns of harm. However, how can the Code can be used in a situation where a service user who may be at serious harm decides not to give consent to protection order?

Any further comments

Comments