

## 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?

This chapter is useful and adds to our understanding of the legislation and whom it applies to.

The additional guidance given to inform decision – making when assessing if the first element of the adult at risk three – point criteria is met or not, is welcomed. It helpfully makes a distinction between those who are unable to safeguard themselves and those who are unwilling to do this.

The inclusion of an explanation to determine those who may and those who may not be considered an adult at risk because of problematic alcohol and drug use, is useful for informing decision making in this area of practice.

Self – directed support is usefully linked to Adult, Support and Protection by including it in the Code of Practice. The councils' duties and responsibilities are explicitly stated. However, specific guidance would be welcomed to include into existing risk assessments and training materials.

### **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?

Page 39, Section 16 introduces the concept of a designated person but, doesn't explicitly state or note who such a person is. It would be helpful to clarify the use of this word. Not all adults at risk have a responsible person. Reference to designated person is not linked or used on Page 25, under the sub – heading views of others. At this section, reference is made to any other person.

Page 39, Section 17, rather than a time being stated within local procedures for when a person should meet with the adult at risk to discuss their experiences of attending the multi – agency meeting and if further issues have arisen, It would be more flexible if local procedures could say a person should meet the adult at risk shortly after the meeting.

The inclusion of Appropriate Adult Schemes and the Vulnerable Witnesses (Scotland) Act 2004 is valid but uncertainty was expressed about its placing within this chapter. It would appear to fit better within Chapter 7 or 8.

Identifying the types of activities which the Adult Protection Committee should be auditing to determine if adults at risk are participating in the adult protection process is useful.

### **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?

It is useful and right that guidance on large scale inquiries is included. The guidance does not however provide direction on the threshold needed to initiate a large scale inquiry.

### **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?

It might be useful and helpful to make reference to Section 5 – Duty of co-operation in the Act at this chapter.

It might be worth considering expanding this chapter to include guidance on managing dissent in multi – agency decision making meetings.

Consideration could possibly be given to the merits of auditing those professionals who do and don't submit a report when they are unable to attend a multi – agency meeting?

### **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.

Guidance on recording expectations for the justification of decision making within the Adult Protection process is helpful.

**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 code helpfully provides new guidance to assist practice decision making, specifies recording requirements and audit areas.

**Any further comments**

Comments

We would like to make the following general comments to complement the content and structuring of the revised Code of Practice:

Chapter 3: Principles and definition of adult at risk.

It would be helpful if adult at risk perpetrators or perpetrators who may be part of the adult at risk's informal or formal support network were referred to in this chapter. This would introduce perpetrators earlier on in the Code of Practice.

It is helpful that the Code of Practice identifies the types of information it would like each Adult Protection Committee to collate information on and audit.

Consideration could be given to the merits of routinely auditing those professionals who do not submit a report when they are unable to attend a multi – agency meeting in order to improve practice in this area.

Chapter 6: Inquiries

9. It would be useful to expand this paragraph to include other appointed people - power of attorney or appointee.