

# 7 Minute Briefing: Multi Agency Risk Management (MARM) Group

## 1. Background

The Adult Support and Protection (Scotland) Act 2007 (ASP) puts adults at risk of harm on a legal footing and requires each Local Authority to set up an adult protection committee with core membership from Social Work, Police, Health etc. One of the core functions is to ensure that all policies and procedures are translated into effective risk management practice. Whilst aware that legislation does not fit every risk situation, we have a Duty of Care to ensure the safety of individuals who are unable to safeguard themselves whether they have capacity or not.

## 3. What to do

In circumstances where an adult concern represents extraordinary challenges requiring collaborative risk management, but doesn't meet criteria for existing risk management frameworks and legislation (e.g., ASP, AWIA, MHC(S)A) or **does** but significant risks remain... A referral to **MARM Group** will be processed by MASH to ensure a multi agency senior management oversight and response to the presenting risks. Where this does not meet MARM criteria, recommendations from the group will be provided back to MASH for further locality operational input.

## 5. Information

We know that at times intervention may be more problematic when alcohol or drug use are regular features of an adult's presentation. However, in each case, multi-agency inquiries should be made to gather as much information as possible about an adult's condition.

**7. Questions** Any questions please contact your line manager and or email [publicprotectionteam@dumgal.gov.uk](mailto:publicprotectionteam@dumgal.gov.uk)

Visit [D&G PPP website](#)

Read the ASP Act here - [ASP legislation](#)  
ASP code of practice here - [CoP Supported Decision Making 2021](#)

## 2. Why it matters

As a Council, we have a duty to ensure adults are safe from harm. Adult at risk is defined as adults **aged 16 or over, who: Are** unable to safeguard their own wellbeing, property, rights, or other interests.

**Are** at risk of harm and they are affected by disability mental disorder illness, or physical or mental infirmity are more vulnerable to being harmed than adults who are not so affected.

**We also have a duty of care to keep people safe who are at risk of harm, but not covered by ASP legislation or other protective frameworks.**

## 4. Information

Whilst it is preferable to obtain consent to take further action, the Duty to Co-operate does not need the adult's consent – it applies to any situation that meets the above criteria or individuals deemed at high risk of harm through risk taking behaviours. Bodies under S.5 duty to co-operate.

- Mental welfare commission
- Office of the Public Guardian
- Care Inspectorate
- NHS
- Police Scotland

**The 3<sup>rd</sup> Sector have a responsibility to report any concerns about and adult at risk.**

## 6. Information

The principles of the ASP act emphasise the importance of striking the right balance between and individuals right to choose and the risk of harm to the individuals - there will be challenges particularly where the person does not wish support and or does not meet criteria for protective legislation. This will require more creative responses to risk taking and will imply greater responsibility on the adult and greater emphasis on keeping them at the centre of the decision making. However, adults deemed to lack capacity should also be supported to make decisions and take risks where necessary in line with Adults with Incapacity legislation.