

7-Minute Briefing: Adult Support & Protection (ASP)

'Responsibilities for Healthcare Practitioners'

1. Background

NHS Dumfries & Galloway (NHSDG) has established adult protection procedures in place. These procedures provide staff with detailed instructions in relation to any concerns regarding the safety of an adult who is known or believed to be at risk of harm.

7. What to do - REMEMBER...

THE 4 R's of PUBLIC PROTECTION

RECOGNISE – an adult at risk of harm

RESPOND – know what to do and who to contact for advice or support

REFER – phone Social Work and complete an Adult Protection Referral Form (AP1)

RECORD – all actions that have been taken within clinical health records – this should include a chronology entry and the upload of the completed AP1 form onto clinical portal.

Public Protection is EVERYBODY'S responsibility

6. Information - ASP Case Conferences

ASP case conferences are multi-agency forums that usually include the adult at risk of harm. The purpose of these meetings is: to share relevant information; the joint assessment of current and ongoing risk; to agree a specific and detailed protection plan with timescales for addressing risks; provide services to support and protect the adult.

It is important that health staff prioritise attendance at case conferences when invited. If unable to attend, health staff should notify the Chair as soon as possible and arrange for someone to attend on their behalf. The Chair may request a report is submitted prior to the conference and may also ask for a copy of a management/care plan. See 7MB on ASP Case Conferences.

5. Information Sharing

Whilst confidentiality is important, it is not an absolute right. **The co-operation of health staff in sharing proportionate and relevant health information is necessary** to enable a council to undertake the required inquiries and investigations. **The Act specifically allows for disclosure of information with or without consent where a person knows or believes an adult is at risk of harm.** Section 49 of The Act provides that it is an offence to refuse, without reasonable excuse, to comply with a request to provide information made under Section 10.

Public Protection Team: 01387 244300 - Link to the Public Protection Team page on BEACON: [Click here](#)

Public Protection Team: August 2021

2. Why it matters

The Adult Support & Protection (Scotland) Act, 2007 (The Act) was introduced to maximise the protection of adults at risk of harm. The responsibility for the protection of these adults lies with all statutory agencies, as well as voluntary and private providers. It is important that healthcare staff are able to recognise an adult who may be at risk of harm and understand the importance of responding to their concerns and making an appropriate ASP (AP1) referral to Social Work. See 7MB on how to make an ASP referral.

3. Information – Adult at Risk of Harm - 3 Point Test

Section 3(1) of The Act defines 'adults at risk' as those who are aged 16 or over and who:

- are unable to safeguard their own well-being, property, rights or other interests;
- are at risk of harm; and
- because 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.

4. Information – Duty to Cooperate

Under The Act, staff within public bodies such as health boards are duty-bound to report any known or suspected adult safeguarding concerns to Social Work Services. **Health staff do not need to evidence that all elements of the 3 point test are met in order to make a referral.** Any information may form part of a larger picture and Social Work will decide if the 3 point test has been met. **Health staff also have a legal duty to co-operate with any ASP inquiry or investigation involving suspected or actual harm under section 4 of The Act.**