

# EAST AYRSHIRE COUNCIL

SOCIAL WORK COMMITTEE : 8 NOVEMBER 2001

## THE PROTECTION OF VULNERABLE ADULT PROCEDURES

### Report by the Director of Educational and Social Services

#### 1. PURPOSE OF REPORT

- 1.1 To seek Committee's approval for the introduction of Interim Protection Procedures for Vulnerable Adults.

#### 2. BACKGROUND

- 2.1 Over recent years, the abuse of vulnerable people, (e.g. older people and those with dementia, people with a mental health problem or people with physical, learning or sensory disabilities) has received increasing publicity. Media coverage of serious incidents and public inquiries and practice experience have led to a growing recognition of the extent to which vulnerable adults suffer neglect and abuse.
- 2.2 Vulnerable adults are open to a range of abuses including financial exploitation, physical abuse, sexual abuse and institutional abuse.
- 2.3 Demographic factors are of significance. There are more elderly people than ever before, they are living longer and their disabilities and dependencies increase in severity with age. This coupled with the hospital discharge of people with learning disabilities and mental ill health means that there are increasing numbers of vulnerable people living in the community.
- 2.4 Recent years have also seen major changes in Community Care which has allowed service users and carers greater options and choice in care provision. Consequently, the dispersal of care in the community is diverse which can result in increased risk, highlighting the need, on all our parts, to be increasingly vigilant to vulnerability and abuse.

#### 3. PROPOSED PROCEDURES

- 3.1 The procedures seek to:
  - ? Provide a working definition of abuse.
  - ? Establish agreed categories of abuse.
  - ? Establish a standard procedure to be followed when it is suspected that abuse has occurred.
  - ? Identify the roles and responsibilities of the key agencies involved.
  - ? Provide a co-ordinated multi-disciplinary response to reduce or alleviate abusive situations.
  - ? Provide guidance on the resolution of disputes.

- 3.2 The procedures indicate the lead role that social services will take in co-ordinating activity in respect of the protection of vulnerable adults at risk of abuse.
- 3.3 The procedures will act as a framework to:
- (i) extend protection procedures across Council Departments in East Ayrshire
  - (ii) explore the development of multi-agency guidelines for vulnerable adults across East Ayrshire
  - (iii) ensure staff are familiar with the procedures and can act accordingly.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The financial implications are minimal and will centre around joint training costs with colleagues in Health, Housing, Police and the voluntary sector. These costs can be met through existing training or community care budget.

#### **5. LEGAL/POLICY IMPLICATIONS**

- 5.1 Some of the procedures outlined are similar to those operating in child protection. There are, however, **critical differences** in the context which they operate.

It is crucial to note that:-

- ? Adults have the right to make their own decisions, unless there are clear grounds to override this as a result of their lack of capacity or because of possible danger to others.
- ? The law in relation to adults offers far fewer opportunities or responsibilities in relation to intervention : negotiation plays a far more prominent role in intervention.
- ? Public and professional knowledge and awareness of issues and options are still significantly more limited than in the case of child protection.

#### **6. RECOMMENDATIONS**

- 6.1 The Social Work Committee is asked to:
- (i) endorse the introduction of the Protection of Vulnerable Adult Procedures to East Ayrshire Council employees;
  - (ii) agree further exploration with key partners towards the development of Vulnerable Adult Protection Guidelines across East Ayrshire; and
  - (iii) otherwise note the content of the report.

**John Mulgrew**  
**Director of Educational and Social Services**  
**17 October 2001**  
**Enc (0)**

## **LIST OF BACKGROUND PAPERS**

### **Legal**

National Assistance Act 1948  
Social Work (Scotland) Act 1968  
Mental Health (Scotland) Act 1984  
The National Health Service and Community Care Act 1990  
Adults with Incapacity (Scotland) Act 2000

### **References**

Department of Health – No Secrets, Guidance on Developing and Implementing Multi-Agency Policies and Procedures 2000.

Range of Agency's Procedures across Scotland.

A full copy of the Vulnerable Adult Protection Procedures is available in the Members Information Point.

For further information on this report please contact Jackie Donnelly, Principal Officer  
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**IMPLEMENTATION OFFICER: JACKIE DONNELLY**

**AGENDA**