

Adult Support and Protection: Ensuring Support and Preventing Harm

The Adult Support and Protection (Scotland) Act 2007 provides ways to offer support and protection to certain adults who may be at risk of harm or neglect.

Who does the Act say is an “adult at risk” of harm?

An “adult at risk” of harm is defined as a person aged 16 or over who may be unable to protect themselves from someone harming them, or from exploitation or neglect, because of a:

- disability;
- mental disorder;
- illness; or
- physical or mental infirmity.

What can I do?

If you are worried that you or someone you know is being harmed, is suffering from neglect, or is being abused, **it is important to tell someone**. Everyone has a right to be safe.

Remember, the person who did this may be doing it to others too. Or it could be that the person who is being harmed or neglected may not be able to report it themselves. Even if it happened many years ago, it is still important to report it.

What is harm?

Harm is defined as all harmful conduct. Some examples of this include:

Physical: hitting, slapping, pushing, shaking, locking them in a room, tying them to a chair, restricting their freedom.

Psychological: threats of harm, being left alone, humiliation, intimidation, causing distress, verbal abuse, bullying, blaming, constant criticism, controlling, depriving contact with others.

Neglect: failure to provide medical or physical care, access to a doctor or other services, or denying someone medication, food or heating, privacy or dignity, self neglect.

Financial: stealing, fraud, pressure to hand over or sign over property or money, misuse of property or welfare benefits, or stopping someone getting their money or possessions.

Sexual: any sexual activity that a person doesn't understand or want, photographing, sexual harassment, voyeurism.

Information: withholding information or advice about rights or entitlements.

Discrimination: because of age, colour, disability, gender, race, religion, cultural background or sexual orientation.

Where can harm happen?

Anywhere. It can happen in the family home, hospital ward, care home, day services, social clubs, day centres, at work and in public places.

Possible signs of harm include:

- unexplained or unusual injuries;
- a delay in seeking treatment for injuries or illness;
- sudden increase in confusion;
- unexplained deterioration of health or appearance
- people being anxious or afraid;
- misuse of medication, e.g. not giving medicines properly;
- unexplained changes of behaviour, e.g. becoming anxious and withdrawn, fear of another person;
- pressure by family or professionals(s) to have someone moved into or taken out of care
- hostile or unkind behaviour by a person;
- unexplained debt, not paying bills for services;
- not having their basic needs met, such as adequate food or heating;
- not being provided with adequate information about their rights or entitlements, or being misinformed;
- prejudicial actions or remarks to the adult at risk about age, gender, disability, race, colour, sexual or religious orientation;
- another person using the adult's possessions, bank account or property without his or her informed consent; and
- the adult at risk not receiving appropriate care, which would protect them from harm.

Who can cause harm?

Anyone. For example it could be a:

- member of staff in a health/care setting;
- carer;
- relative;
- spouse or partner;
- friend or neighbour;
- volunteer; or
- stranger.

People's rights

The Act is about achieving a balance between respecting people's rights and taking action where necessary to support and to protect them.

It should help individuals to live their lives as they wish by ensuring that support is provided when they need it, and provide the means to protect adults at risk of harm.

Who would act?

Councils, health and police staff, amongst others, must now work together to protect "adults at risk".

Councils have a duty to inquire and investigate cases where harm is known or suspected. Council officers have powers to visit and interview people, to arrange medical examinations and to examine records. They must also consider whether there is any need for advocacy and other services, such as help with medication, or support services.

There are also three new types of "protection orders" that may be used.

Who should I contact?

Contact your local social work services. You can also speak to a health professional or the police. They will take your concerns seriously.

ISBN 978-0-7559-8009-3

RR Donnelley B59640 02-09