



Argyll and Bute Adult Protection Committee

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Child Protection & Adult Support & Protection

Protecting individuals who may be at risk of harm is a priority for Children and Families and Adult Care services. In most cases the child or adult at risk will be identified and protected through Child Protection or Adult Support and Protection processes. However there are occasions - such as situations where both children and adults are at risk, or where a child is in transition to adulthood - that the interface between Child Protection and Adult Support and Protection processes need to be clear to all those involved.

Child Protection

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting, or by failing to act to prevent, significant harm to the child. Children may be abused in a family or in an institutional setting, by those known to them or, more rarely, by a stranger. Assessments will need to consider whether abuse has occurred or is likely to occur. Concerns of actual and future risks will result in a child protection investigation and addressed in a child protection plan. It is helpful to understand the different ways in which children can be abused some of the indicators of risk are:

- Domestic Abuse

- Parental Alcohol and drug misuse

- Parental Mental Health Problems

- Non-engaging Families

- Sexual, physical or emotional abuse and neglect

- Child exploitation.

- Children placing themselves at risk

A clear and consistent understanding of the different concepts and terminology in child protection is essential if action to support and protect children is to be informed and effective there also has to be a clear definition of a child.

A child can be defined in different legal contexts. The Children (Scotland) Act 1995 defines a child in relation to the powers and duties of the local authority. Young people between the ages of 16-18 who are subject to a compulsory supervision order can be viewed as a child. An individual who meets the criteria for being considered an adult at risk is defined as such f 167ua

ensure that the most appropriate on-going support and protection is provided according to the needs of the individual.

In general:

If the young person is at school, support and protection should be provided through Children and Families services

If the young person has a current named worker then it should be that staff member who leads on offering support and protection in order to ensure continuity

If the young person is over 16, not at school and not known to services, Adult care should undertake any necessary work to consider the risks to them and offer support

Adult Support and Protection

Adults who are considered adults at risk of harm are those who are 16 or over and who meet all three of the following points:

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.

The types of harm covered by the Adult Support and Protection (Scotland) Act 2007 include:

physical harm

financial harm

emotional harm

sexual harm

neglect

self-harm

This does not include general concerns

someone else is harming an adult who is unable to protect themselves and is more vulnerable because of illness, disability or frailty or where the adult is harming themselves.

Where an adult protection referral is received, social work staff will undertake inquiries to consider whether or not these 3 points are met and whether any action is required to protect the adult. When the inquiries demonstrate that the adult meets all three points adult support and protection procedures will be followed.

As described above, an individual who meets these criteria and is over 16 will be

Transition

The definition of an adult at risk includes people aged 16 and over with a disability, illness, or physical or mental infirmity that make them more vulnerable to harm than those without these conditions.

There will be children who have been supported through child protection procedures who do not fall within this definition despite on-going concern about harm to them, often because they have no disability. If this is the case they will not be dealt with as adults at risk of harm,

Case examples:

1. A 16 year old who is not currently subject to a compulsory supervision order has never had social work involvement is hit by her mother. The girl attends mainstream school and does not have an illness, disability or frailty that makes her more vulnerable to harm than another 16 year old. She does not meet the 3 criteria to be considered an adult at risk of harm, so follow up to the concern should be through child protection procedures.
2. A 16 year old with a complex learning disability is in the process of Transition. He tells his teacher that his father hit him. Because of his disability he is unlikely to be able to safeguard himself, he has a known disability and is alleging harm. He therefore meets the criteria for an adult at risk and an adult protection investigation should be started with a view to developing an appropriate protection plan. The responsibility for the adult protection investigation will be undertaken by the appropriate LD team in liaison with Children and Families staff who know the family.