

SCOTTISH YOUTH PARLIAMENT



# Vulnerable Adult Guidelines and Procedures

January 2026 (Revision 1)

These guidelines have been written by Dr Susan Hamilton, Safeguarding Consultant, in consultation with Rosy Burgess, Head of Participation and Programmes at the Scottish Youth Parliament. In addition to Scottish Government guidance, the following local authorities' guidelines have been utilised: Edinburgh Inter-agency Adult Support and Protection Procedure 2024<sup>1</sup> and Fife Inter-agency Adult Support Protection Guidance 2024<sup>2</sup>.

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<sup>1</sup> <https://www.edinburgh.gov.uk/downloads/file/35923/interagency-adult-support-and-protection-procedure>

<sup>2</sup> [https://www.fife.gov.uk/\\_data/assets/file/0021/41385/ASPC-Interagency-Guidance-Non-Highlighted-Copy.pdf](https://www.fife.gov.uk/_data/assets/file/0021/41385/ASPC-Interagency-Guidance-Non-Highlighted-Copy.pdf)

## Foreword

Adult support and protection is everyone's business. All adults at risk should feel safe, supported and protected from harm. All individuals and services have a contribution to make in supporting and protecting adults at risk of harm. This Guidance should inform the action staff should take if they have cause for concern about a vulnerable adult.

Adult Protection aims to ensure that all adults who are unable to safeguard themselves because of disability, illness, mental disorder or mental or physical infirmity get the help and support they need to stay safe and well, and to be protected from harm. Services should offer appropriate protection and support so that this may be achieved.

### Our Vision

Our vision for Scotland is a nation that values and practices the meaningful participation of its young people, supporting them to realise their full potential.

### Our Mission

Our mission is to represent the voice of Scotland's young people on issues affecting them, and to empower young people to champion and defend their rights.

### Our Values

SYP is **Youth-Led** - We empower young people to take the lead in all aspects of our work.

SYP is **Ambitious** - We campaign for change to create a Scotland which young people are proud to grow up in.

SYP is **Bold** - We defend young people's rights and champion the issues that are most important to them.

SYP is **Inclusive** - We create brave and safe spaces where young people of all backgrounds feel able to participate.

SYP is **Politically Impartial** - This value surrounds all of our work to ensure our work is evidence-based and that the issues important to young people can be discussed and openly debated.

These procedures provide clear guidance for staff on what they should do if they have concerns about a child or young person who may be at risk of harm or being abused. These procedures do not stand alone and should be read in conjunction with the relevant local authority's Inter-agency Adult Support and Protection Guidance.

This Policy and associated procedures provide clear guidance for staff, volunteers and students on placement on what they should do if they have concerns that an adult may be at risk of harm, of abuse, or of being abused.

**Jamie Dunlop**

Chief Executive of the Scottish Youth Parliament

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# 1. Introduction

## 1.1 The Context

The majority of adults who are affected by disability, mental disorder, illness, or physical or mental infirmity live their lives either independently or with the help of relatives, friends, neighbours, professional help or volunteers. The development of services for vulnerable adults has created a more enlightened and empowering climate which offers people independence, choice and participation in making decisions about their own lives. This has resulted in increasing dependency on unpaid carers and an expansion of paid carers in the workforce.

However, some adults affected by the aforementioned disabilities are unable to protect themselves. Over recent years, increased media cover of individual incidents and public enquiries dealing with instances of abuse and harm has led to growing concern among the public.

The Adult Support and Protection Committees (ASPCs) are statutory bodies established within each council area under section 42 of the Adult Support and Protection (Scotland) Act 2007. The committee is chaired by an independent convenor who is neither a member nor an employee of the council. The ASPC is made up of senior representatives of key agencies who work together to effectively discharge its obligations in respect of policy and practice in adult support and protection matters. The aforementioned Act as well as the Protection of Vulnerable Groups (Scotland) Act 2007 complement and improve other legislation designed to protect vulnerable adults. The ASPC is the primary strategic planning mechanism for inter-agency adult support and protection work.

The Scottish Youth Parliament (hereafter referred to as 'SYP') recognises its responsibilities to protect adults at risk of harm or abuse or who have been abused. These guidelines and procedures outline what staff should do in such circumstances.

## 1.2 Values and Principles of Adult Protection

The principles underpinning the 2007 Act are:

- The intervention must benefit the adult.
- All actions should be supportive and the least restrictive into the adult's affairs as possible.
- Any interventions must have regard to:
  - The wishes of the adult.
  - The views of people who are important to the adult.
  - Any intervention will involve the adult's participation as much as possible.
  - Providing information and support to enable the adult to participate in the process.
  - The adult's abilities, background and characteristics.
  - Any intervention will not result in the adult being treated less favourably than someone who is not an adult at risk.
  - Any intervention will take into account the adult's abilities, background, and characteristics (including the adult's age, sex, sexual orientation, religious persuasion, racial origin, ethnic group and cultural and linguistic heritage).

### 1.3 Who is an Adult at Risk of Harm?

An adult at risk of harm is any person aged 16 years or over who:

- Is unable to safeguard their own wellbeing, property, rights or other interests.
- Is at risk of harm; and
- Because they are affected by disability, mental disorder, illness, physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

All three elements of this definition must be met for the provisions of the legislation to apply. The presence of a particular condition may not mean an adult is an 'adult at risk'. Someone can have a disability but be able to safeguard their well-being, property, rights or other interests.

### 1.4 Who is at Risk of Harm?

An adult aged 16 years or over is at risk of harm if:

- Another person's conduct is causing (or is likely to cause) the adult to be harmed; or
- The adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm.

### 1.5 Young people aged 16-18

Particular attention needs to be paid to the needs and risks experienced by young people in transition from youth to adulthood, who are more vulnerable to harm than others. Other legislation and provisions exist which include persons up to the age of 18; these other provisions may be more appropriate for some young people.

Where a young person under 18 is at risk of harm, The National Guidance for Child Protection in Scotland (2021) is relevant for reference, alongside the Scottish Youth Parliament's Child Protection Policy and Procedures<sup>3</sup>, and the relevant local authority's Child Protection Procedures as required.

Young people may already be receiving services from a range of children's services, or as looked after children. This is not to say that they will or will not become Adults at risk in terms of the Act simply because they have reached a particular age. Each case will need to be considered by the nature of the particular circumstances. For more information see 'Understanding age in Child Protection<sup>4</sup>'.

### 1.6 What is Harm?

Harm includes all harmful conduct and in particular:

- Conduct which causes physical harm.

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<sup>3</sup> <https://syp.org.uk/safeguarding/>

<sup>4</sup> <https://www.iriss.org.uk/sites/default/files/2024-04/iriss-understanding-age-cp-asp.pdf>

- Conduct which causes psychological harm (e.g. by causing fear, alarm or distress).
- Conduct which causes sexual harm.
- Financial harm - unlawful conduct - appropriation of property, rights or interests e.g. theft, fraud, embezzlement or extortion.
- Neglect.
- Self-harm (including self-neglect, self-poisoning and self-injury).

Harm also includes all harmful conduct, whether deliberate or unintentional. Harmful conduct also includes acts of omission, for example neglect or harm as a consequence of the individual's own behaviour (self-harm). The Code of Practice<sup>5</sup> on the Adult Support and Protection (Scotland) Act 2007 provides useful guidance when considering self-harm linked to alcohol or substance use:

*'Vulnerability or a lack of ability to safeguard, which is due to temporary problematic alcohol or drug use, would not by itself result in an individual being considered an "adult at risk". Adults have the right to make choices and decisions about their lives, including the use of alcohol and drugs, even if that means they choose to remain in situations or indulge in behaviour which others consider inappropriate. Without any additional vulnerability, such as an illness or disability etc Adult Protection intervention would not normally be appropriate.'*

## 1.7 Types of Abuse or Harm

Harm of adults at risk may be caused by anyone: relatives and family members, volunteers, professional staff, paid carers, friends and acquaintances, other service users, neighbours, and more rarely strangers and those who deliberately exploit adults at risk. Evidence and research suggest that in most cases the adult will know the person who causes them harm.

Harm may also be caused by the adult at risk own actions including self-harm, self-neglect, self-injury and self-poisoning, where linked to an additional vulnerability may be the focus of support and protective measures.

Under the Adult Support and Protection (Scotland) Act 2007, an adult is at risk of harm if another person's conduct is causing or is likely to cause the adult to be harmed or the adult is engaging or is likely to engage in conduct which causes or is likely to cause self-harm.

Harm means all harmful conduct, regardless of whether the harm is deliberate, unintentional, or due to ignorance. Harm may include:

- Physical harm.
- Psychological or emotional harm (e.g. by causing fear, alarm or distress).
- Unlawful conduct, which appropriates or adversely affects property, rights or interests (for example: theft, fraud, embezzlement or extortion).
- Self-harm.
- Sexual harm or sexual exploitation including trafficking.
- Neglect and acts of omission.

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<sup>5</sup> <https://www.gov.scot/publications/adult-support-protection-scotland-act-2007-code-practice-3/>

- Self-neglect.
- Financial harm.
- Human rights abuses.

There are particular types of harm that have a legislative and policy response that must be considered in conjunction with the Adult Support and Protection (Scotland) Act 2007, for example:

- Domestic Abuse and Coercive Control.
- Gender Based Violence.
- Forced Marriage.
- Female Genital Mutilation (FGM).
- Human Trafficking.
- Sexual Exploitation.
- Radicalisation.

Appendix 1 provides more details including examples of the types of harm.

## 2. The Procedure

### 2.1 Introduction

All adults at risk are individuals in their own right, and if they are able/are assessed as having capacity they must be allowed to exercise their right to choose the way in which they want to live their lives. This can mean that some people may choose to remain in a situation which others may consider to be inappropriate or harmful. However, adults at risk also have a right to be protected. The assessment of an adult's capacity is the responsibility of trained health and social work staff.

### 2.2 Responding to Concerns of Harm

There is a legal duty for statutory agencies listed in the Adult Support and Protection (Scotland) Act 2007 Act to report to the social work service the circumstances where it is known or believed that an adult is at risk of harm.

There is a duty on everyone else working with, or being aware of, a vulnerable adult to also report even if the adult does not want you to. The support and the protection of vulnerable adults is complex, so if staff are unclear as to the level of their concern, they should seek advice from Social Work Service in the area where the adult resides. Most local authorities also have an Adult Protection phone line.

Where such a concern comes to the attention of SYP staff, it is important that staff listen carefully and sympathetically, treat the matter seriously and as soon as is practically possible on the day, record, sign and date the information on the Adult Report of Harm Referral Form (Appendix 2). They should also explain to the person that they cannot give a guarantee of confidentiality and should apply the 4Rs below to ensure consistent, rights-based care and intervention for adults at risk:

1. **Recognise** that a concern is being raised.
2. **Respond** to the person expressing the concern by explaining what you are going to do about it.
3. **Report** as soon as is practically possible and on the day the concern to the Child Protection Coordinator/ Chief Executive if the Child Protection Coordinator is not available. If the latter is the recipient of the concern, they should report the concern to Social Work or the Police (see Adult Protection Reporting Protocol).
4. **Record** in detail on the Adult Report of Harm Referral Form (Appendix 2). Actual words used should be quoted where possible. Where this is done in person, record the behaviour and demeanour of the person expressing the concerns.

It is good practice, wherever possible, to inform the adult of the referral, taking care to emphasise why you are concerned and why you need to seek additional support and/or protection. If you are unable to inform them of the referral, you should note specific issues such as capacity, third party information, increased risk to the adult, or whether the perpetrator is present, along with other details on the Adult Report of Harm Referral Form (Appendix 2). Record and retain a copy for your records.

## **2.3 Reporting Concerns of Harm**

It is the responsibility of the relevant Council's Social Work Services to ensure that allegations concerning adult protection are investigated. Where it is known or suspected that an adult is at risk of harm, and that intervention may be necessary to protect the adult, then the following action must be taken:

### **Emergency response required**

In the case of an emergency, where urgent circumstances require immediate action and it is believed a crime has been committed, the police should be called. Urgent circumstances could include, for example, the immediate avoidance of further harm, the avoidance of the destruction of evidence, or the need for an immediate place of safety for an adult at risk of harm.

Any member of staff who witnesses, suspects or receives information about an adult at risk being subject to harm, mistreatment or neglect, and where the adult is in immediate danger, requires urgent medical attention, or crime is suspected, must call the appropriate emergency services (police, ambulance, fire service), then inform the Child Protection Coordinator/ Chief Executive and complete the Adult Report of Harm Referral Form (Appendix 2) and email to the relevant Social Work Office/ Vulnerable Adult contact/ Social Care Direct and Police where the adult resides. A copy should be retained.

### **Emergency response not required**

If the adult does not require urgent medical attention but you suspect or have witnessed harm, mistreatment or neglect, speak to the person about the harm you are concerned about.

Record your conversation carefully and try to write down the person's actual words in relation to their description of the event(s) and their feelings about the outcome. Include the time and date that the record was made. Tell the person that you are going to report the details to your CPC/CEO and the relevant social work service. The Adult Report of Harm Referral Form (Appendix 2) should be passed without delay to both the Child Protection Coordinator/ Chief Executive and emailed to the social work service where the adult lives. The Adult Protection Reporting Harm Protocol is detailed in Appendix 3.

The responsibility of initiating an enquiry into allegations of harm of an adult at risk of harm rests with the Social Work Locality Team where the adult resides.

Joint Working in Adult Protection Support and protection of adults at risk is not the responsibility of any single agency. Professionals working with adults at risk are required to work together to share information, assess needs and risks, and plan and deliver services in a co-ordinated manner. In so doing, professionals can reduce the risk of harm and promote welfare.

## **2.4 Whistle Blowing / Raising Concerns**

SYP has in place a whistleblowing policy, as outlined in the SYP staff handbook. Staff who raise concerns reasonably, responsibly, and in good faith will not be penalised or victimised in any way.

## Appendix 1 - Types of Abuse or Harm

This list is not exhaustive, but is provided by the National Data Set<sup>6</sup> and relates to the commonly recognised types of harm:

- **Physical harm** - Can include hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.
- **Sexual harm** - Can include rape and sexual assault or sexual acts to which the adult at risk has not consented, could not consent, or was pressured into consenting.
- **Psychological/ emotional harm** - Can include emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- **Financial or material abuse** - Can include theft, fraud, exploitation, pressure in connection with wills, property, inheritance, financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- **Modern slavery** - Human Trafficking; Force Labour; Domestic Servitude; sexual exploitation.
- **Discriminatory harm** - Includes actions (or omissions) and / or remarks of a prejudicial nature focusing on a person's age, gender, disability, race, colour, sexual or religious orientation.
- **Organisational or institutional harm** - Discouraging visit or involvement of relatives or friends; rundown or overcrowded establishments; lack of leadership; insufficient staff or high turnover of staff; abusive or disrespectful attitudes of staff; lack of respect or dignity; not offering choice or promoting independence; not taking account of individuals cultural or ethnic needs; failure to respond to abuse correctly; failure to respond to complaints.
- **Neglect and acts of omission** - Can include ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition or heating.
- **Radicalisation** - the process by which a person comes to support or be involved in extremist ideologies and drawn into terrorism.
- **Self-neglect** - Lack of self-care to an extent that it threatens personal health and safety; inability to avoid self-harm; failure to seek help of access services to meet health and social care needs; inability to or unwilling to manage one's personal affairs.

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<sup>6</sup> The "National Data Set" generally refers to official statistics related to crime or health data in the UK. The types of harm captured in these datasets typically fall into categories such as **physical, psychological, financial, and institutional harm**, affecting individuals, communities, and society at large.

- **Self-harm** - When an individual, knowingly or unknowingly, behaves in a way that directly or indirectly, causes serious harm to their physical, psychological or social well-being. Self-harm is a broad term and can express deep distress or trauma. This may manifest in various forms such as self-injury (such as cutting oneself), taking a drug overdose, having an eating disorder, being addicted to or abusing alcohol or drugs, or simply not looking after their emotional or physical needs.
- **Domestic abuse** - Domestic abuse can be any form of physical, verbal, sexual, psychological or financial abuse which takes place within the context of a relationship. The relationship may be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. The abuse may be committed in the home or elsewhere including online

## Appendix 2 - Adult Report of Harm Referral Form

Is the adult in immediate danger?  
or  
In need of immediate medical attention?  
Call 999 immediately and complete the form later

- If the adult is NOT in immediate danger:
- Call Social Work Services in the area where the adult resides.
  - Complete what you can in this form and email or fax it to the Social Work Services.

This form should be completed by anyone in SYP to refer an adult at risk of harm

- Complete as much as you know.
- Do not delay reporting harm, even if you do not have access to all information.
- The field boxes will expand as required.

The Adult Support and Protection (Scotland) Act 2007 defines “adults at risk” as individuals, aged 16 years or over, who:

- Are unable to safeguard their own wellbeing, property, rights or other interests, and
- 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 others who are not so affected.

REFERRED BY							
Name and job title							
Organisation:		Scottish Youth Parliament					
Contact details							
Address: Tel No: E-mail address: Date CPC/CEO notified:							
Record details of the discussion with Social Work Services/Police.							
Date:							
Time:							
Agency:							
Location:							
Name of contact:							
Tel No:							
Details of discussion:							
Outcome of discussion:							
Details of Adult at Risk (Complete as much as you know)							
Name & Address	Tel No.	D.O.B.	Gender	Ethnicity	Known Disability	Religion	Language
Do you believe the adult at risk is capable of understanding what has happened to them? (You may need to use your own judgement to answer this.)							
YES <input type="checkbox"/> NO <input type="checkbox"/> UNSURE <input type="checkbox"/>							
Tick appropriate box							
Details of Nearest Relative/Next of Kin (Complete as much as you know)							
Name & Address	Tel. No.	DOB	Gender	Relationship to adult at risk			

**Name and contact details of any other persons involved (where known)  
(Complete as much as you know)**

GP			Community Nurse		
Social Worker			Housing Support Worker		
Residential Care Worker			Police		
Welfare Attorney/Guardian			Other		

**Type of harm you are concerned about Put an X in relevant box(es)**

Financial		Self-injury	
Neglect		Self-neglect	
Physical		Self-poisoning (including overdose)	
Psychological/emotional		Sexual	
Radicalisation/Extremism			

**Details of other adults/children in the setting There may be others at risk so supply as much information as you can. If you have concerns about others, this will require reporting/action too.**

Full name	Address	DOB	Gender	Ethnicity	Relationship to adult at risk

**Details of person(s) alleged to be causing harm (where known) Give as much information as you can.**

Name	Address	Tel. No.	DOB	Gender	Ethnicity	Nature of relationship to adult

**What action, other than this referral, have you taken to ensure the adult at risk is now safe?  
Indicate what you have done to reduce the risk and to safeguard the adult**

**Details of other person(s) alleged to be causing harm (where known) Give as much information as you can.**

Name	Address	Tel. No.	DOB	Gender	Ethnicity	Nature of relationship to adult

Your name:

Date:

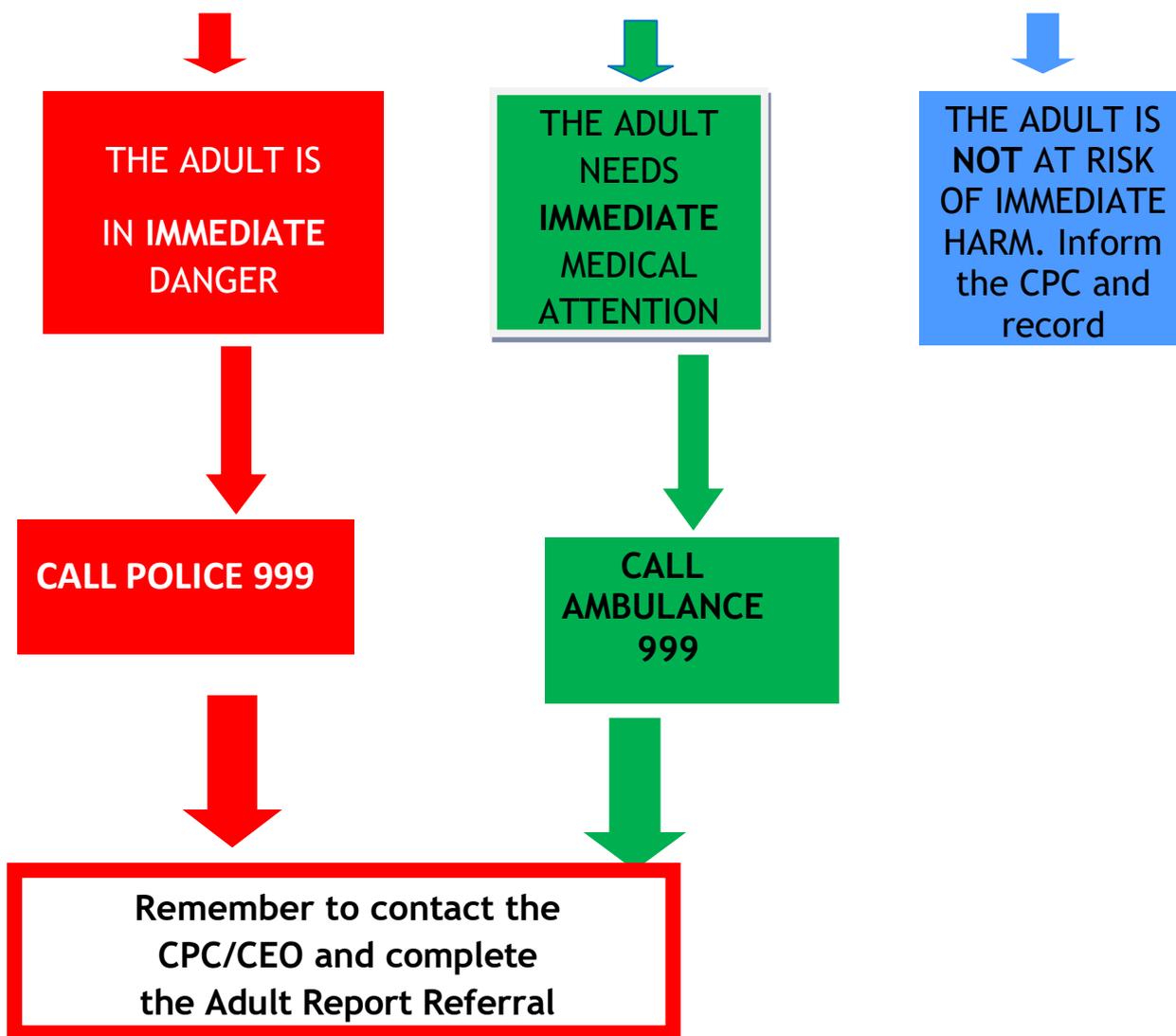
Time:

Your job title / role:

Signed:

### Appendix 3 - Adult Protection Reporting Harm Protocol

If you suspect an adult is being harmed  
If you have seen an adult being harmed or  
Someone tells you an adult is being harmed  
An adult has told you they are being harmed



Immediately call Social Work Contact Centre/Police in the area where the adult resides or contact allocated social worker (if known). You have a duty to report harm, even if the adult does not want you to. It is good practice to inform the adult that you are reporting harm.