



Adult Participation Guidance

The Adult Support and Protection (Scotland) Act 2007 (ASPSA) is guided by a number of principles which recognise the importance of adult participation. These include;

- Ascertaining adult's view, wishes and feelings.
- Ascertaining the views of an adult's nearest relative, primary carer, guardian or attorney of the adult or any other person who has an interest in the adult's well-being or property,
- The importance of the adult participating as fully as possible in the performance of the function,
- The importance of providing the adult with such information and support as is necessary to enable the adult to so participate.

While such principles are defined within the act, there is limited research that explores adult's participation. However the limited research we do have suggests that adults do not always feel fully engaged in each of the stages of the adult support and protection process (Burns, 2016). It's important then to take from this research and formulate guidance within Scottish Borders Council to ensure that workers in ASPSA ensure that all efforts are made minimise barriers and promote the full participation of adults in the process and decisions that keep them safe.

Keeping the Adult Informed in ASPSA Procedures

Duty to Inquire and Investigation

Research shows that professional's working with adults do not always involve and inform adults at each stage of the ASPSA process (Burns, 2016). Within each stage it is important that information is shared about the adult's rights, procedures and concerns. It is best practice to ensure that at each stage adult feedback and views are gained and that they feel included. At inquiry and investigation stage an adult, carer or relevant person should be provided with a leaflet which will explain these processes. Consideration should be given to the adult's communication needs, with easy read options available or support to talk through the leaflet. Consideration should be given to advocacy at the investigation stage and contact details of the council officer should be provided to the adult.

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Case Conference

The ASPSA codes of practice state that it should be assumed that an adult will be involved in all meetings about them, unless it is considered not in their best interest to attend, for example due to illness, capacity or the distress this may bring them.

It is the responsibility of the adult protection officer to invite the adult and maximise the likelihood of their attendance by asking them their choices in relation to the date, time and venue, the number of other attendees, video conference options, and travel arrangements. The adult protection officer will make contact with the adult (and advocate) 5 days prior to the case conference to fully explain and support the adults in understanding the purpose of the meeting, their role within it and their participation. A leaflet about case conferences should be sent out with the adults invite to the case conference. The communication needs of an adult should be considered and if felt appropriate the council officer should meet with the adult to talk them through the leaflet. The adult should have the opportunity to ask questions and provide their feedback in their preferred way of communication e.g. conversation, talking mats, text message.

The adult has the right not to attend and should not feel pressured to do so. In such instances the adults views should be sought and recorded in advance of the meeting. Having an advocate or other designated person to represent the persons view at the meeting should be considered. The adult should be provided with copies of any reports and supported to understand these. Following the case conference an adult protection officer should contact the adult to explain the discussions and decisions, and to ascertain whether any issues remain unaddressed or new issues have arisen.

Consideration of the Barriers Which May Impact on an Adult's Participation.

In promoting the engagement through each stage of the ASPSA process it is important to take a person centred approach, considering the unique needs of each adult and tailoring the process to maximise their participation. Some factors to consider when promoting an adult's participation:

1. Disability and Mental Health Needs

It's important to consider the diversity of an adults needs and how a disability or mental illness may impact in their ability to participate. Professionals require to be adaptable in their approach to optimise each individual's participation. For example ensuring an adult with physical needs

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can access a building or an adult affected by autism having specific communication needs can participate.

2. Trauma Informed Practice

It is important to be mindful of an adult's past experiences in order to recognise complex behaviours in an adult's life as potential responses to trauma related triggers. Particularly, workers should understand the complex and pervasive impact trauma has on a person's world view and relationships and consider the impact this has on the adult's participation. Factors such as emotions, anxiety and the environment, as discussed below, all need to be considered when promoting trusting relationships and ensuring adults feel safe (Scottish Government, 2021).

3. Emotions and Anxiety

Consideration should be given to the feelings and experiences of the adult in the ASPSA process. For example the process may trigger feelings of fear and distress, creating a barrier for the adult to be open or attend meetings. Referring to advocacy or meeting the adult with a supportive person may help manage this anxiety. Being open and providing the adult with clear information will also be beneficial in managing their distress. It's also important to note that an adult's emotions may be heightened at the time of the event, impacting on their views and ability to take in information. It's therefore important to revisit the adult's views at different stages of the process.

4. Environmental Factors

The environment in which meetings take place are important to consider to maximise and adult's participation. Choice should be given to the adult to where they would be most comfortable to attend and participate in a meeting. Consideration should also be given to the number of people attending and who attends. For example, an adult may suffer from sensory issues or anxiety which make a crowded room difficult to attend.

5. Undue Pressure

Undue pressure from another adult may cause barriers to the adult fully participating in the process. As such consideration should be given to factors such as choice where interviews take place.

6. Communication Needs

Communication is another factor which can impact on an adult's participation. This may impact on an individual's ability to express themselves or their understanding. Professionals require to be adaptable to such communication needs in order to enable adults to communicate their views and support their understanding. Such communication support could be;

- Asking the adult their preferred communication method whether email, text message, letter etc.
- Providing individuals with more time to share and process information.
- Requesting assistance from someone they trust and who knows them well.
- [Alternative communication formats](#) such as talking mats, Makaton, leaflets, alternative format documents.
- Language translation.

7. Advocacy

[Section 6](#) of ASPA places a duty if it considers that it needs to intervene after making inquiries under Section 4 of the Act, to protect an adult at risk of harm, and to have 'regard to the importance of the provision of appropriate services including independent advocacy services to the adult concerned'. Independent advocacy aims to help people by supporting them to express their own needs, gain access to information, understand the options available and make their own informed decisions.

At the investigation stage an adult should be offered advocacy. If advocacy is declined by the adult or not deemed appropriate this should be entered onto Mosaic with the reason clearly recorded. If advocacy is agreed a referral should be made to [Borders Independent Advocacy Service](#).

Summary of actions

- Consider the needs in order to effectively engage and promote their participation in the adult protection process. i.e communication needs, where meeting take place.
- The adult should be provided with information at the inquiry, investigation and case conference staged. The council officer should consider the adults communication and support needs when providing such information. i.e consider advocacy, easy read leaflets.
- Feedback should be sought at each stage. This will be the duty of the adult protection officer prior to and after the case conference.
- The adult should be provided with copies of any reports about them and supported to understand these where appropriate.



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Useful links:

[Thistle Foundation](#)

[A Project To Support More Effective Involvement Of Service Users in Adult Support and Protection Activity - gov.scot \(www.gov.scot\)](#)

References

Burns, J. (2018), "A peer approach to the evaluation of adult support and protection processes in North Ayrshire", *The Journal of Adult Protection*, Vol. 20 No. 3/4, pp. 155-167.

Scottish Government (2021). Trauma-informed practice : toolkit. Available at: [Supporting documents - Trauma-informed practice: toolkit - gov.scot \(www.gov.scot\)](#)

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