Name of Policy: Adult and Child Protection Policy
HM/16

Purpose of Policy: The purpose of this policy is to ensure that there is appropriate guidance in place for staff to recognise, identify and deal with situations where adults or children may be at risk of harm.

Policy Monitoring Details	
Department	Housing Management
Author	Nicola Stobie
Status	Group
Date Board Approval	May 2020
Update	May 2025
Planned Review Date	May 2030
Regulatory Outcomes Being Achieved	Scottish Social Housing Charter: 1: Equalities Social landlords perform all aspects of their housing services so that: *Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.* 6: Neighbourhood and Community Social landlords, working in partnership with other agencies, help to ensure as far as reasonably possible that: *Tenants and other customers live in well-maintained neighbourhoods where they feel safe.*
Tenant Consultation Required	Tenants have not been consulted on this policy as any influence they could have would be extremely limited. Once approved the policy will be publicised in the newsletter and on the website. Where appropriate, we will interview service users who have been supported through the policy to seek views on whether any changes to processes are required.
Equalities Impact Assessment	Initial
HRA Implications	Article 8 – right to respect for private life, family life and the home.
Adherence with Association Values	This policy supports all the Association's values.

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1.	**Introduction**	
	1.1	The Manor Estates Group1 (referred to throughout this Policy as 'the Group') is committed to supporting, promoting and safeguarding the welfare of children and adults at risk of harm. Being able to protect children and adults at risk of harm requires that staff are equipped to recognise when to be concerned and understand when and how to share these concerns with appropriate agencies who are in a position to investigate such concerns.
	1.2	This Policy is supported by procedures for staff on responding to suspicions, concerns or confirmed information relating to the safety and wellbeing of a child or adult at risk of harm.
2.	**Aim of policy**	
	2.1	The aim of this Policy is to ensure that situations where children or adults who are either at risk of or experiencing harm are referred to appropriate agencies who are able to investigate and address concerns.
3.	**Policy**	
		Adult Protection
	3.1	For the purposes of this Policy, 'adult' refers to any person aged 16 years or over.
	3.2	The Adult Support and Protection (Scotland) Act 2007 defines 'Adults at risk' as those who: a) Are unable to safeguard their own wellbeing, property, rights or other interest; b) Are at risk of harm; and c) 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. An adult is considered to be at risk of harm if: d) Another person's conduct is causing (or is likely to cause) the adult to be harmed; or

		e) The adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm. In order to comply with the Act, all three conditions (a to c above) must be met. In addition at least one condition of the risk of harm (d or e) must also be met.
	3.3	The Adult Support and Protection (Scotland) Act 2007 defines 'harm' as: • Physical harm (includes slapping, punching, biting, hitting, shaking, kicking); • Sexual harm (includes any sexual activity that a person doesn't feel comfortable with); • Psychological harm (includes being humiliated, intimidated, shouted at, threatened, bullied); • Financial harm (includes feeling under pressure to hand over money or possessions, it can involve exploitation of property or welfare benefits, or stopping someone getting their money or possessions, cheating or fraud); • Neglect (including denying someone medication, medical or physical care, access to a doctor or other services, denying someone food, heating, privacy or dignity); • Harm through self-neglect, omission or conduct that causes self-harm; or • Harm through discrimination. Harm may be caused by: • Relative or friend; • Formal or informal carer; • A neighbour, member of the public or stranger; • A member of staff / management; • A volunteer; or • Another service user.
		Protection
	3.4	The Group will co-operate with all relevant statutory and voluntary agencies to ensure that all reasonable steps are taken to protect adults at risk of harm.
	3.5	Concerns about the well-being of vulnerable adults will be referred to appropriate statutory agencies. Section 4 of the Adult Support and Protection (Scotland) Act 2007 place a duty on the local authority to make enquiries about a person's wellbeing, property or financial affairs if it knows or believes: a) That the person is an adult at risk; and b) That it might need to intervene in order to protect that person's wellbeing, property of financial affairs.
		Confidentiality
	3.6	In most circumstances, adults have the right to make their own decisions about how they live even if, at times, they may appear to make poor choices.
	3.7	The Group's Data Protection Policy ensures that MEHA will comply with legal obligations and the data protection principles by

		ensuring that personal data is processed lawfully, fairly and in a transparent manner in relation to individuals. Individuals will be advised on the reasons for processing via a Privacy Notice.
	3.8	There may be times when it is not possible to obtain consent or even relevant to do so. In these situations we can still share information with relevant authorities if this is required to protect the vital interests of the data subject or someone else. Circumstances in which data could be shared are: • An issue of public safety or public health; • An imminent threat to the adult; • A crime has been committed; • It appears that a person has been unduly pressurised; • The person is unable to understand choice and their consequences/level of capacity; or • The person potential causing harm is a service provider.
		Child Protection
	3.9	For the purposes of this Policy, a child is someone under the age of 18. While the Adult Support and Protection (Scotland) Act can be applied to anyone over 16, the young person's circumstances will be used to determine how best the matter should be dealt with.
	3.10	The Children (Scotland) Act 1995 provides the legal framework for safeguarding children. The National Guidance for Child Protection in Scotland (2021) acknowledges that whilst housing staff will not be directly involved in the investigation of suspected or reported abuse, we should still play an active role in supporting and identifying vulnerable children. Someone may abuse or neglect a child by inflicting, or failing to act to prevent, significant harm to a child and may include: **Physical abuse**: causing physical harm by hitting, shaking, throwing, poisoning, burning, scalding, punching a child. **Emotional abuse**: persistent emotional neglect or ill treatment that has severe and persistent adverse effects on a child's emotional development. It may involve: • conveying to a child that they are worthless or unloved, inadequate or valued only in as much as they meet the needs of another person; • the imposition of age, or developmentally, inappropriate expectations on a child; or causing children to feel frightened or in danger of exploiting children. • Sexual abuse: any act that involves a child in any activity for the sexual gratification of another person. Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. Female genital mutilation (FGM) is recognised as child abuse and if it is considered that a child has or is

		likely to suffer from this, it should be considered in the context of child protection procedures. • Neglect: the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. It may involve the parent/carer failing to provide adequate food, shelter and clothing, to protect a child from physical harm or danger, or to ensure appropriate medical care or treatment. It may also include neglect of the child's emotional needs.
	3.11	Staff should also be alert to the potential impact on children of living with domestic violence or where there is problematic alcohol or substance misuse (including prescription as well as illegal drugs).
		Action
	3.12	Where any member of staff is concerned that harm has taken place, is taking place or is at risk of harm, the matter should be referred to the Housing Manager or Housing Management Director immediately or as soon as is practically possible. Where appropriate they will direct the member of staff to refer the matter to the relevant agencies.
	3.13	Detailed information regarding the referral process are included in the procedures associated with this Policy.
4.	**Implementation**	
	4.1	Key procedures associated with the Adult and Child Protection Policy will be implemented immediately and reviewed in accordance with the Policy review plan.
5.	**Monitoring and Review**	
	5.1	The Housing Manager will prepare an annual report to the Housing Management Director outlining: • Number of referrals made in respect of adults; • Which agencies cases were referred to; • Outcome (if known); • Number of referrals made in respect of children; • Which agencies cases were referred to; • Outcome (if known). • Summary of any concerns about the procedure for referral, the response of agencies or any other relevant issues.