

ADULT PROTECTION & SUPPORT ORDERS PROTOCOL

Cwm Taf Safeguarding Adults Board	Date: August 2017	Status: Version 5 - approved September 2017
Author: Alex Beckham	Previous Version: NA	Review Date: September 2020

1. THE PURPOSE AND SCOPE OF PROTOCOL

1.1 The Social Services and Well-being Wales Act (2014) Part 7 section 127 introduces the new Adult Protection and Support Order (APSO).

This order provides a legislative framework to permit an authorised officer of the Local Authority to make an application to the Magistrates court to do the following;

- To enable the Authorised Officer, and any other person accompanying the officer, to speak in private with a person suspected of being an adult at risk;
- To enable the authorised officer to ascertain whether that person is making decisions freely; and
- To enable the authorised officer properly to assess whether the person is an adult at risk and to make a decision as required by section 126(2) of the Social Services and Well-being (Wales) Act 2014 on what, if any, action should be taken.

(Full details of the guidance for Adult Protection Support Orders can be found via the hyperlink below)

<http://gov.wales/docs/dhss/publications/160909safeguarden.pdf>

1.2 The Welsh Government has provided training for two officers from each local authority in Wales and intends to maintain a list of Authorised Officers and making this list available on the Welsh Government website.

CWM TAF has the following Authorised Officers;

- *Alexandra Beckham*: Principal Manager for Safeguarding Merthyr Tydfil (Lead Officer For APSO) Alexandra.Beckham@merthyr.gov.uk (tel: 01685 724604)
- *Frances Hall*: Service Manager Mental Health, Substance Misuse and Learning Disabilities, Rhondda Cynon Taf Frances.E.Hall@rctcbc.gov.uk (tel: 01443 444593)
- *Jackie Neale*: Service Manager Adult Safeguarding Rhondda Cynon Taf (Lead Officer for APSO) Jackie.Neale@rctcbc.gov.uk (tel: 01443 425447)
- *Nicola Roberts*: Senior Social Worker for Merthyr Tydfil County Borough Council Nicola.Roberts@merthyr.gov.uk (tel: 01685 351116)

2. REQUEST FOR APSO APPLICATION TO BE CONSIDERED:

2.1 Working Together to Safeguard People Volume 4 should be read in conjunction with this protocol. This protocol specifically addresses the practicalities for a request for APSO intervention for adults at risk who live in the Cwm Taf area and does not replace the above guidance.

2.2 It is expected that enquiries regarding the need for an APSO application will only be generated via the Safeguarding process. If this is identified during the Safeguarding process, the Designated Lead Manager (DLM) for the case will contact the relevant lead officer within their organisation. If they are not available, a discussion will need to be held with an alternative Authorised Officer.

The lead officer will, in conjunction with other APSO officers identify an appropriate officer to undertake this piece of work.

2.3 In the first instance the APSO officer and a legal representative from the relevant Local Authority legal department will attend the strategy meeting to gather all relevant information in order to assess whether an application needs to be made. It is essential that the police are involved throughout the process, as their involvement will often be necessary to support the execution of the support order. The police should always be invited to attend. If a strategy discussion/meeting has previously been held, then this will need to be re-convened in order to facilitate the attendance of the Authorised Officer, legal representative and police.

2.4 In the strategy meeting, the Authorised Officer will ensure that all actions have been undertaken in order to engage with the Adult at Risk; this is essential in providing evidence to the court should an application be made, as the Officer will need to demonstrate that alternatives to an APSO have been fully explored. The APSO is an Order of last resort. The Authorised Officer may make further recommendations prior to making the application and will advise of these throughout the safeguarding process.

2.5 If an APSO application is to be made, the officer will make the appropriate arrangements to secure the APSO and will do so following the step by step approach within the guidance:

- Collect evidence
- Consider accompanying people to provide support to the Adult at Risk Application to the Magistrates Court (including arrangements for payment of the court fee)
- The hearing
- Implement the Immediate post APSO procedure (Detail Below)

2.6 The Authorised officer will ensure that they plan effectively for the Order to be executed, including planning an exit strategy which will identify appropriate support for the adult at risk. This is essential to ensure the ongoing protection, care and support for the individual. This will need to be planned effectively within the strategy meeting process and will need to be evidenced to the court in the application.

2.7 If concerns are expressed in relation to the decision making process in respect of an APSO request or application, these will be referred to the Cwm Taf Safeguarding Board's Adult Quality Assurance sub group as causes for concerns and the sub-group will review and action as appropriate.

2.8 During the execution of the Order, in order for the application to be heard in court, the Authorised Officer will require identification to provide to the adult at risk and provide the reasons why they are attending (direct guidance for this is provided within the Volume 4). Support from the police will almost certainly be needed during the execution of the Order to ensure that the aims can be met without placing the adult at risk, or any other occupants of the dwelling or the Authorised Officer. It is

recommended that this is supported via the MASH to identify a suitably trained officer in Adult at Risk concerns.

3. ACTION FOLLOWING AN APSO APPLICATION:

3.1 Following the application and subsequent execution of the warrant, there should be a reconvened multi agency strategy meeting to share information and plan effectively.

3.2 If the Adult at Risk refuses to share information with the APSO officer and does not wish for the involvement of protective services and the follow factors apply

- Not being subject to coercive control or any other form of abuse or neglect,
- No concerns for the safety of other Adults at Risk,
- No concerns for the safety of children and or the public

3.3 The APSO officer will share this information directly with the DLM who will record the outcomes of the intervention.

3.4 Following the execution of the APSO, the officer will provide a summary to the Adult Safeguarding Quality Assurance sub group of the Cwm Taf Safeguarding Adults Board in order to share learning. The APSO officer will arrange a briefing session for other Authorised Officers. The Safeguarding Boards Business Unit will keep a database of all APSO applications made.

.