SAMPLE DOCUMENT

Sample document from the CareRulebook Scotland Care Inspectorate registration pack. Fictional agency. Rule-verified on 3 November 2026.

This is Document 2.2 of the 27 in the pack, exactly as it prints in a buyer's copy, but filled in with example answers for a fictional agency, Sample Home Care Ltd. Rule-verified means each quote under Rule basis was checked word for word against the official text we saved on that date. It is not legal advice.

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DOCUMENT 2.2

Adult support and protection policy and procedure

Business name	Sample Home Care Ltd
Person responsible for this document	Sam Sample
Date created	1 December 2026
Review date	1 December 2027

Purpose

To protect the people Sample Home Care Ltd supports from harm, and to make sure every member of staff knows how to recognise harm, what to do straight away, who to tell and how quickly, and what records to keep. It sets out how we work with the council, which leads on adult support and protection under the Adult Support and Protection (Scotland) Act 2007, and the duties we have to the Care Inspectorate, Disclosure Scotland and the Scottish Social Services Council (SSSC).

Scope

Everyone who works for Sample Home Care Ltd, paid or unpaid, including the manager, support workers, office and on-call staff, and anyone working for us through another organisation. It covers any concern that an adult we support may be at risk of harm, whoever may be causing the harm: a family member, a friend, a neighbour, a stranger, another professional, a member of our staff, or the person themselves. It also covers concerns about other adults or children that staff come across in people's homes.

Policy

What the law means by an adult at risk and by harm

Adults at risk. The Act defines adults at risk as adults (people aged 16 or over) who meet all three of these points, often called the three-point criteria:

1. they are unable to safeguard their own well-being, property, rights or other interests;
2. they are at risk of harm, either because another person's conduct is causing (or is likely to cause) them harm, or because they are engaging (or are likely to engage) in conduct

that causes (or is likely to cause) self-harm; and

3. because they are affected by disability, mental disorder, illness or physical or mental infirmity, they are more vulnerable to being harmed than adults who are not so affected.

Staff do not have to decide whether someone meets all three points. It is enough to believe a person may be an adult at risk. The council decides.

Harm. The Act says harm includes all harmful conduct, and in particular conduct that causes physical harm; conduct that causes psychological harm (for example by causing fear, alarm or distress); unlawful conduct that appropriates or adversely affects property, rights or interests (for example theft, fraud, embezzlement or extortion); and conduct that causes self-harm. "Conduct" includes neglect and other failures to act.

Types of harm to look out for. The Code of Practice lists commonly recognised types of harm, and says one sign on its own is not proof, and that a person can be experiencing more than one type at once:

- **physical harm**, such as hitting, pushing, rough handling, misuse of medication, or unexplained bruises, burns or injuries;
- **sexual harm**, including any sexual activity a person has not agreed to or cannot agree to;
- **psychological or emotional harm**, such as threats, humiliation, bullying, controlling behaviour or isolation;
- **financial or material harm**, such as theft, fraud, scams, pressure over wills or gifts, or misuse of a person's money or bank card;
- **neglect**, by a carer or by the person themselves, such as being left without food, warmth, medication or help with personal care;
- **self-harm**;
- **modern slavery**;
- **discriminatory harm**, because of a person's age, disability, race, religion, sex, sexual orientation or other characteristic; and
- **organisational or institutional harm**, including poor care from a service, which could be ours, for example repeated missed visits or rushed, uncaring support.

The Code also names domestic abuse, gender-based violence, forced marriage, female genital mutilation, human trafficking, stalking, scam trading and hate crime.

Who does what

- **The council leads.** The council for the area where the adult is must make inquiries when it knows or believes a person is an adult at risk and that it might need to intervene to protect them. It may visit, interview the adult in private, and ask for records. Our adult protection referrals go to the council. For our main area this is City of Edinburgh Council.
- **What is expected of us.** The Act places its specific duties to report and co-operate on councils and listed public bodies, such as the Care Inspectorate, the police and health boards. It does not place those duties on independent care providers like us. The Code of Practice says that care providers have a responsibility to involve themselves where

appropriate by making referrals, assisting inquiries and providing services to help people at risk of harm, and to share with the relevant agencies information they have about adults who may be at risk. We do all of these. Our reading is that this is what the Code expects of us, not a duty the Act itself places on us.

- **What the law requires of us.**
  - If a council officer requires us to give them records about a person they know or believe to be an adult at risk, we must do so. Refusing or failing to comply without reasonable excuse is an offence.
  - If we remove a member of staff or a volunteer from their role because of harmful behaviour, or would have done if they had not left, we must refer them to Disclosure Scotland (see "Concerns about a member of staff").
  - We must not offer anyone a role working with the people we support until we have received a Level 2 disclosure confirming they are a member of the PVG scheme for that kind of work. Our safer recruitment policy sets this out.
- **What the Care Inspectorate requires of us.** The Care Inspectorate's records and notifications guidance is part of how it regulates us, and failing to follow it is a breach of our conditions of registration. It requires us to tell it about every protection concern within 24 hours, to update it within one month, and to keep records of every protection matter. These steps are in the procedure below.
- **What the SSSC requires of employers.** The SSSC Code of Practice for Employers asks us to have written policies and procedures to protect people from harm, to put them into action and monitor them, and to make sure workers know the signs of harm and the action they must take. This policy, and the training in our induction and training programme, are how we do that. We must also tell the SSSC if we dismiss a registered worker for misconduct, or if they resign or leave in circumstances that would otherwise have led to their dismissal.

Our commitments

1. **Everyone's responsibility.** Every member of staff must report any concern about harm, however small, using this procedure, without delay. No one at Sample Home Care Ltd may stop or delay a report.
2. **The person comes first.** We listen to the person, take what they say seriously, and involve them in decisions as far as they can be involved. We tell them what we are doing and why, unless that would put them or someone else at greater risk.
3. **Consent.** We tell the person and seek their views before we make a referral where we safely can, and involve their attorney or guardian where they have one and it is appropriate. The Code of Practice says we do not need the adult's consent to make an adult protection referral: there may be a lawful basis to share information under the Act without it. Where we refer without consent, or without telling the person, we record why.
4. **Referral within 24 hours.** Where we suspect someone may be an adult at risk of harm, we make an adult protection referral to the council within 24 hours, as the Code of Practice expects. If anything delays the referral, we record the delay and the reason. If anyone is in immediate danger, we call 999 first.

5. **We never investigate harm ourselves.** We report it and help the council and the police with their inquiries. We do not question the person in detail, confront anyone we suspect, or do anything that could warn them or spoil evidence.
6. **Sharing information safely.** We share only the information needed, with the people who need it, and we record what we shared, with whom, when, why, and whether the person agreed. Confidentiality never stops us reporting a concern that someone may be at risk of harm.
7. **People who raise concerns are protected.** No member of staff is treated less well for raising a concern in good faith. Our whistleblowing policy sets out how staff can raise concerns about the service itself, inside or outside Sample Home Care Ltd.
8. **Our duties do not pass to anyone else.** Sample Disclosure Services countersigns our staff PVG applications, but the duty to refer a member of staff to Disclosure Scotland is ours.

Children

We do not provide support to children. If a member of staff is worried about a child they come across while supporting someone, for example a child living in or visiting the person's home, they tell Sam Sample straight away, and call 999 if the child is in immediate danger. Sam Sample contacts the council's social work service or the police the same day, records the concern, and notifies the Care Inspectorate if it involves a person who uses our service.

Procedure

At a glance

What	Who	When
Call 999 if anyone is in immediate danger	Whoever is there	At once
Make the person safe, listen, and write down what was seen or said	The member of staff	At once, and before the end of the visit or shift
Tell the adult protection lead (Sam Sample, 07700 900001)	The member of staff	At once, by phone; never wait until the next day
Adult protection referral to the council	The adult protection lead	Within 24 hours (Code of Practice); record any delay and why
Report to the police where a crime may have been committed	The adult protection lead	As soon as possible
"Protection concern about a person using the service" eForm to the Care Inspectorate	The manager	Within 24 hours
Update on the concern and referral to the Care Inspectorate	The manager	Within one month of the incident
If staff are involved: "Allegation of misconduct by provider or persons employed in the care service" eForm	The manager	Within 24 hours

What	Who	When
Referral to Disclosure Scotland, where we remove someone from their role for harmful behaviour	The manager	As soon as possible; the Act makes it an offence not to refer within 3 months of the duty arising
Tell the SSSC of a dismissal for misconduct (or a resignation that would have led to one)	The manager	As soon as the decision is made
Give records to a council officer who requires them	The manager	When required
Review the personal plan and risk assessment	The manager	As soon as the person is safe

Step 1: Recognise and respond

If you see, hear or suspect that someone may be being harmed, or you are told about harm:

1. **If anyone is in immediate danger, call 999.** Stay with the person if it is safe to do so.
2. **Make the person safe** as far as you can, and get medical help if they need it.
3. **Listen** calmly. Let the person tell you in their own words. Do not ask leading questions or press for details.
4. **Do not promise to keep it secret.** Explain kindly that you must tell someone whose job is to help keep them safe.
5. **Preserve evidence.** Do not clean, tidy or throw anything away if a crime may have been committed, unless the person needs it for their safety or comfort.
6. **Write it down** before the end of your visit or shift, on the concern record below: what you saw or heard, the person's own words, the date and time, who was there, and what you did. Record facts, and say clearly which parts are your opinion.

Step 2: Report to the adult protection lead at once

Phone Sam Sample (Manager) on 07700 900001 straight away, at any time of day or night. If you cannot reach them, phone the manager, or the on-call number, 07700 900000. Do not wait until the next working day, and do not leave the concern in a message or a visit note alone.

If your concern is about Sam Sample or the manager, tell Alex Sample, Director (director@example.com). You can also go straight to the council's adult protection team on 0131 496 0002 (out of hours: 0800 000 0000), or to the police.

Reporting inside Sample Home Care Ltd must never delay a referral. If you believe a person is at risk and no one can be reached, phone the council yourself.

Step 3: Refer to the council

The adult protection lead makes an adult protection referral to the council for the area where the adult is, by phone and then in writing, or using the council's referral form. For our main area this is City of Edinburgh Council: 0131 496 0002 in office hours, and 0800 000 0000 out of hours. If the adult is in another council's area, the lead uses that council's adult protection contact.

The referral should be made within 24 hours of the concern arising, and any delay recorded with the reasons. If in doubt, the lead makes the referral: the council decides whether the person is an adult at risk. A referral is made even if some of the information below is not yet known.

The referral gives, as far as we know them:

- our details as the referrer, and who to contact;
- the person's name, date of birth and address;
- their main support needs (for example dementia, learning disability, physical disability or mental health);
- any communication needs;
- the type or types of harm suspected;
- whether the person knows about the referral;
- what happened: the incident or incidents, dates, the person suspected of causing harm, any earlier concerns, and what we have done to keep the person safe;
- our view on each of the three points (is the person able to safeguard themselves? are they at risk of harm? are they more vulnerable because of disability, mental disorder, illness or infirmity?);
- whether the police have been told, if a crime is suspected; and
- relevant relationships, any attorney or guardian, and any caring responsibilities the person has.

The lead records the date and time of the referral, who took it and any reference number, and keeps a copy of the referral form. The Care Inspectorate may ask for it.

Step 4: Tell the police where a crime may have been committed

If what happened may be a crime, such as assault, sexual assault, theft or fraud, the adult protection lead reports it to Police Scotland, calling 999 in an emergency. They tell the council they have done so.

Step 5: Notify the Care Inspectorate within 24 hours

The manager submits the Care Inspectorate's eForm "Protection concern about a person using the service" within 24 hours. This includes concerns where we have made a referral to the council. The notification gives:

- what happened;
- the person's details, including their full name, home address and date of birth (an exception to the usual rule of using initials only in notifications);
- what we have done to keep people safe;
- the referrals we have made to the council and, where appropriate, the police; and
- confirmation that we have told the council that placed the person with us, if that is a different council from the one we referred to.

When we make a protection notification after an accident, incident or injury, we include those details in it, and do not send a separate accident, incident or injury notification.

Within one month of the incident, the manager sends the Care Inspectorate an update on the concern and the referral, using the eForm's update option. The manager sends further updates when the outcome is known.

Step 6: Concerns about a member of staff

If the concern is about someone who works for Sample Home Care Ltd:

1. **Keep people safe.** The manager decides straight away whether the worker should be suspended or moved away from work with the person or with anyone at risk while the concern is looked into, and records the decision and the reasons. If the worker is not suspended, the manager records why and what other protection is in place.
2. **Refer as for any concern.** The adult protection lead refers to the council and, where a crime may have been committed, the police (Steps 3 and 4).
3. **Notify the Care Inspectorate of the misconduct.** As well as the protection concern eForm, the manager submits the eForm "Allegation of misconduct by provider or persons employed in the care service" within 24 hours, without personal details of those involved at this first stage. Where confidentiality means the details should not go in the eForm, the manager gives the date of the alleged misconduct, confirms the details have been emailed to our inspector, and sends that email within the same 24 hours. The manager uses the update option to report the outcome of any investigation and every action taken.
4. **Follow our disciplinary procedure**, once the council and the police have said it will not get in the way of their inquiries.
5. **Refer to Disclosure Scotland.** If we permanently remove the worker from their role because they harmed, or placed at risk of harm, a protected adult or a child, or for one of the other reasons in the PVG Act's referral ground (inappropriate conduct involving pornography, inappropriate conduct of a sexual nature, or giving inappropriate medical treatment), the manager makes a referral to Disclosure Scotland. The same applies if we would have removed them had they not already left. The duty applies whether or not the worker is a PVG scheme member, and even if the harmful behaviour happened outside work. An organisation that fails to refer, without reasonable excuse, within 3 months of the date the duty arose commits an offence, and Disclosure Scotland reports organisations that do not refer within three months of the decision to Police Scotland. We refer as soon as the decision is made.
6. **Tell the SSSC.** If the worker is registered with the SSSC, or applying to register, we must tell the SSSC if we dismiss them for misconduct, or if they resign or leave in circumstances that would otherwise have led to their dismissal. The Care Inspectorate's misconduct notification also asks whether we have told the professional body when we suspend, dismiss or demote someone, or when they resign during a disciplinary investigation and we would have considered dismissal, so the manager makes a referral to the SSSC in each of those cases too.
7. **Record** each decision, referral and notification on the tracker below, and in the worker's personnel file, including referrals to the SSSC and Disclosure Scotland.

Step 7: Help with the council's inquiries

We co-operate with the council and the police. When asked, we attend meetings and case conferences, share relevant information, and help put in place any protection plan.

Records requested by a council officer. A council officer may require anyone holding health, financial or other records about a person they know or believe to be an adult at risk to give them the records, or copies. The request may be made during a visit or at any other time; at other times it must be in writing. The manager checks the officer's identity, gives the records asked for, and records what was given, to whom and when. Only a health professional may inspect health records. Refusing or failing to comply without reasonable excuse is an offence.

Step 8: Review the person's support

As soon as the person is safe, the manager reviews their personal plan and risk assessments with them (and their representative where appropriate), updates them, and makes sure the staff who need to know are told. The manager offers support to the person, their family and the staff involved, and checks whether the duty of candour applies.

Step 9: Record and learn

The adult protection lead completes the concern record and keeps the tracker up to date until every action is closed. The manager reviews protection concerns every three months, without naming people, to spot patterns, such as repeated concerns about the same person, place or worker, and to check our procedure worked.

Sample Home Care Ltd: Adult protection concern record

This record is confidential. Keep it with the person's protection records, separately from their personal plan, and share it only with people who need it to keep someone safe.

Item	Details
Person the concern is about (name; initials only if this record is shared)	
Date and time the concern arose, and where	
Staff member raising the concern (name and role)	
What was seen, heard or noticed (facts)	
What the person said, in their own words	
Any injuries or marks seen (describe; do not photograph unless the police or council ask)	
Who else was present	
Person suspected of causing harm, if known, and their relationship to the person (family, friend, other professional, Sample Home Care Ltd worker, the person themselves)	
Type of harm suspected: physical / sexual / psychological or emotional / financial or material / neglect / self-harm / modern slavery / discriminatory / organisational / other	
Was anyone in immediate danger? 999 called? (time, reference)	

Item	Details
Immediate action taken to keep the person safe	
The staff member's opinion, clearly marked as opinion	
Reported to the adult protection lead (name, date and time)	
Does the person know about the referral? Their views, and whether they agreed	
If referred without consent or without telling the person: why	
Attorney or guardian consulted (name, date), or why not	

Completed by (name and role): _____ Signature: _____ Date and time: _____

Sample Home Care Ltd: Adult protection referral and notification tracker

Action	Needed?	Date and time	By whom	Spoken to or reference number	Notes
999 or Police Scotland					
Adult protection referral to the council (within 24 hours; reason for any delay)					
Copy of referral form kept					
Placing council told (if different from the referral council)					
Care Inspectorate eForm: protection concern (within 24 hours)					
Care Inspectorate update on the concern and referral (within one month of the incident)					
Staff involved: suspension or other protection decided, with reasons					
Care Inspectorate eForm: allegation of misconduct (within 24 hours)					
SSSC referral or notice of dismissal					
Disclosure Scotland referral (refer as soon as the decision is made; offence if not within 3 months)					
Records given to a council officer (what, to whom)					
Personal plan and risk assessments reviewed; staff told					

Action	Needed?	Date and time	By whom	Spoken to or reference number	Notes
Duty of candour considered (applies? yes or no)					
Outcome of the council's inquiries					
Care Inspectorate told of the outcome (update)					
Lessons learned and changes made					
Closed (date and manager's signature)					

Sample Home Care Ltd: Staff acknowledgement of the adult support and protection policy

I have read Sample Home Care Ltd's adult support and protection policy and procedure, and had the chance to ask questions. I understand that:

- I must report any concern that someone may be at risk of harm to Sam Sample at once, on 07700 900001, or to the manager or on call if I cannot reach them;
- if anyone is in immediate danger I must call 999 first;
- I must not promise to keep a concern secret, and I must not investigate it myself;
- I must write down what I saw or heard, in the person's own words, before the end of my visit or shift;
- if no one at Sample Home Care Ltd can be reached, or my concern is about the people I would report to, I can contact the council's adult protection team directly on 0131 496 0002 (out of hours 0800 000 0000) or the police; and
- I will not be treated less well for raising a concern in good faith.

Name: _____ Role: _____ Signature: _____ Date: _____

Training given by (name and role): _____

Responsibilities

- **Adult protection lead (Sam Sample, Manager):** receive concerns at any time, make referrals to the council and, where needed, the police, keep the concern record and tracker, and keep the council contact numbers in this policy up to date.
- **The manager (Sam Sample):** make sure this policy is followed; submit the Care Inspectorate notifications and updates on time; decide on suspension or other protection when staff are involved; make referrals to Disclosure Scotland and the SSSC; respond to council officers' requests for records; review personal plans; make sure every member of staff is trained in this policy at induction and regularly afterwards, and signs the acknowledgement; and review concerns for patterns.
- **Alex Sample, Director:** receive concerns about the adult protection lead or the manager, and make sure they are referred and handled independently.

- **All staff:** know the signs of harm; report every concern at once; write down what they saw or heard; never investigate or promise secrecy; and co-operate with any inquiry.

Records

We keep a record of every incident that is considered a protection matter: the concern record, the tracker, copies of referrals, notifications and updates, notes of meetings and case conferences, and the outcome. We keep notes on the care and welfare of the people we support in a way that makes it easy to spot patterns and to give full information to the police or the council when they need it, balancing confidentiality, dignity and privacy against the need to keep people safe. We keep records of any disciplinary action and its outcome, including referrals to the SSSC and Disclosure Scotland.

Protection records are kept securely, separately from the person's personal plan, and are seen only by the people who need them. We handle them under UK GDPR and the Data Protection Act 2018.

Recommended practice

- Keep a one-page copy of the "At a glance" table, with the phone numbers filled in, in every staff handbook, in the office and on the on-call phone.
- Get your council's adult protection referral form (sometimes called an "AP1") or its online link in advance, and keep it where the adult protection lead and on call can reach it.
- Check the council's adult protection numbers each time you review this policy, and add the contacts for every other council area you work in.
- Use the Act Against Harm website, which the Code of Practice points to for local contacts and for help recognising when an adult may be at risk of harm, in staff training.
- Talk about protection at every supervision and team meeting, using anonymised examples, so that staff are confident to report.

References

- Adult Support and Protection (Scotland) Act 2007: https://www.legislation.gov.uk/asp/2007/10/contents
- Adult Support and Protection (Scotland) Act 2007: Code of Practice (Scottish Government, 2022): https://www.gov.scot/publications/adult-support-protection-scotland-act-2007-code-practice-3/
- Care Inspectorate, Guidance for applicants on applying to register a care service (July 2021): https://ci-web-media-production-bucket.s3.eu-west-2.amazonaws.com/assets/resources/Applying_registration_applicantguidance_july21-web.pdf
- Care Inspectorate, Adult care services: guidance on records you must keep and notifications you must make (March 2025): https://ci-web-media-production-bucket.s3.eu-west-2.amazonaws.com/assets/resources/notification-guidance-for-adult-services-march-25.pdf
- Protection of Vulnerable Groups (Scotland) Act 2007: https://www.legislation.gov.uk/asp/2007/14/contents
- Disclosure Scotland, Making a referral to Disclosure Scotland (mygov.scot): https://www.mygov.scot/pvg-referrals
- SSSC, Registration: employers: https://www.sssc.uk.com/registration/employers/

- SSSC Codes of Practice for Social Service Workers and Employers (2024): https://cdn.prgloo.com/media/d4458b8775404527aa82f3f3136659db.pdf
- Health and Social Care Standards: my support, my life (Scottish Government, 2017): https://www.gov.scot/publications/health-social-care-standards-support-life/
- UK General Data Protection Regulation: https://www.legislation.gov.uk/eur/2016/679/contents

Rule basis

> "Adults at risk" are adults who — (a)are unable to safeguard their own well-being, property, rights or other interests, (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.
> (2)An adult is at risk of harm for the purposes of subsection (1) if — (a)another person's conduct is causing (or is likely to cause) the adult to be harmed, or (b)the adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm.
> `Adult Support and Protection (Scotland) Act 2007, s.3.`

> A council must make inquiries about a person's well-being, 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 (by performing functions under this Part or otherwise) in order to protect the person's well-being, property or financial affairs.
> `Adult Support and Protection (Scotland) Act 2007, s.4.`

> the public body or office-holder must report the facts and circumstances of the case to the council for the area in which it considers the person to be.
> Adult Support and Protection (Scotland) Act 2007, s.5(3) (a duty on the public bodies listed in s.5(1), such as councils, the Care Inspectorate, the police and health boards).
>
> (1)A council officer may require any person holding health, financial or other records relating to an individual whom the officer knows or believes to be an adult at risk to give the records, or copies of them, to the officer. (2)Such a requirement may be made during a visit or at any other time. (3)Requirements made at such other times must be made in writing.
> (5)Nothing in this section authorises a person who is not a health professional to inspect health records (other than to determine whether they are health records).
> `Adult Support and Protection (Scotland) Act 2007, s.10.`

> (2)A person commits an offence by, without reasonable excuse, refusing or otherwise failing to comply with a requirement made under section 10.
> `Adult Support and Protection (Scotland) Act 2007, s.49(2).`

> "adult" means an individual aged 16 or over,
> "conduct" includes neglect and other failures to act,
> "harm" includes all harmful conduct and, in particular, includes — (a) conduct which causes physical harm, (b) conduct which causes psychological harm (for example: by causing fear, alarm or distress), (c) unlawful conduct which appropriates or adversely affects property, rights or interests (for example: theft, fraud, embezzlement or extortion), (d) conduct which causes self-harm,
>
> `Adult Support and Protection (Scotland) Act 2007, s.53(1).`

> While independent organisations such as these do not have specific legal duties or powers under the Act, care providers have a responsibility to involve themselves with the Act where appropriate by making referrals, assisting inquiries and through the provision of services to assist people at risk of harm. These organisations should discuss and share with relevant statutory agencies information they may have about adults who may be at risk of harm.
> Organisations should comply with requests for examination of records, as it is an offence to fail to do so without reasonable excuse (section 49(2)) of the Act).
>
> `Adult Support and Protection Code of Practice (2022), p.31.`

> Physical harm ... Sexual harm ... Psychological or emotional harm ... Financial or material harm ... Modern slavery ... Discriminatory harm ... Organisational or institutional harm
> Evidence of any one indicator should not be taken on its own as proof that abuse is occurring.
> Other forms of harm can include domestic abuse, gender-based violence, forced marriage, female genital mutilation (FGM), human trafficking, stalking, scam trading and hate crime.
>
> `Adult Support and Protection Code of Practice (2022), pp.17 and 26.`

> As with other referrers, evidence is not required that all elements of the three-point criteria are met in order to make a referral.
> Good practice would dictate that even if in doubt the referral should be made and should be counted as a referral by the council.
>
> `Adult Support and Protection Code of Practice (2022), pp.27 and 29.`

> Adult protection referrals can be made in writing (to be submitted electronically) or over the phone to the council for the area in which the adult at risk currently is.
> Details of the person completing the referral; ... Details of the person subject to the referral, including name, date of birth, address; ... Any communication needs of the adult at risk; ... Harm type(s) suspected; ... Whether the adult at risk is aware of the referral;
> Confirmation of whether police have been contacted if a crime is suspected; ... Any relevant relationships, proxy decision makers (guardian or Power of Attorney), and/or caring responsibilities of the adult;
> It is not your responsibility to confirm that the adult meets the three-point criteria; it is enough that you believe them to meet the criteria to warrant an ASP referral.
> If there is immediate danger to you or the adult at risk, do not hesitate to call 999.
> Recognise – be aware of adult protection issues and how an adult at risk of harm may present.
> Report – where you have an internal adviser for adult protection report the matter to them, discuss with appropriate colleagues the need to make a referral but ensure this does not adversely delay referring.
> Record – use the individual's record to note the issues that arose, the circumstances, the decisions made/actions you took, and the rationale for your actions.
> Has the individual's attorney or guardian, if relevant, been consulted?
> Record the decision, actions and reasoning. ... What information was shared and for what purpose. ... Whom it was shared with. ... When it was shared.
> No. Whilst adults with capacity have the right to consent or otherwise, there may be a lawful basis to share information under the 2007 Act without this consent.
> Where someone is suspected of being an adult at risk of harm, an Adult Support and Protection referral should be made to the council within 24 hours – any delay should be recorded with reasons.
>
> `Adult Support and Protection Code of Practice (2022), pp.32 to 35.`

> enclosed copies of policies/procedures relating to: ... child and/or adult protection
>
> `Care Inspectorate, Guidance for applicants on applying to register a care service (July 2021), p.7.`

> Failure to do this will mean you are in breach of your conditions of registration with the Care Inspectorate.
>
> `Care Inspectorate, Adult care services: guidance on records you must keep and notifications you must make (March 2025), p.3.`

> You must keep records of any incident that is considered a protection matter as defined in adult and child protection guidance.
> You should also keep notes on the care and welfare of people using your service in such a way that it is easy for you to spot patterns and provide full information when/if they are needed by the police or social services.
>
> `Records and notifications guidance, p.5.`

> You must keep a record of any disciplinary action taken and outcomes against anyone working in the service. This should include details of referrals to the Scottish Social Services Council (SSSC), the Nursing and Midwifery Council (NMC), the General Teaching Council for Scotland (GTCS) or other relevant professional body, and Disclosure Scotland as necessary.
>
> `Records and notifications guidance, p.10.`

> You must inform us of any protection concerns including where you have made a protection referral to the lead agency using the eForms notification: 'Protection concern about a person using the service'. You must do this within 24 hours.
> details of the occurrence ... details of the person involved, including their full name, home address and date of birth ... details of the action taken to ensure people are safe ... details of the referrals made to the lead agency and the police where appropriate ... confirmation that you have informed the placing local authority if the person has been placed by a different local authority.
> After you submit the notification, you may be asked by the inspector to provide a copy of the referral form you sent to the lead agency.
> You must also provide us with an update on the protection concern and referral within one month of the incident occurring.
> If a protection concern is in connection with a member of staff, you must also submit an eForm: 'Allegation of Misconduct by Provider or Persons Employed in the Care Service' and make referrals to their professional registration body and Disclosure Scotland as needed.
> Please note: 'Accident', 'Incident', and 'Injury to service user' notifications are not required when you have made a protection referral(s) following an adverse event.
>
> `Records and notifications guidance, pp.14 to 16.`

> You must inform us of any incidents of staff misconduct using the eForms notification: 'Allegation of misconduct by provider or persons employed in the care service' within 24 hours.
> Please do not provide personal details of those involved at the initial reporting stage.
> if the relevant professional body has been notified (when you suspend, dismiss or demote an employee, or when an employee resigns during a disciplinary investigation and you would have considered dismissal)
> Providers have a legal duty to report harmful behaviour to Disclosure Scotland if they permanently remove a person from a regulated work role, or may have done had they not already left.
> if the member of staff has not been suspended, you should explain the reasons for not doing this and detail the safeguarding measures that have been put in place
> Please note: if providers do not make a referral to Disclosure Scotland within three months of the decision to permanently remove the individual from their role, Disclosure Scotland will report the organisation to Police Scotland.
> it is sufficient to detail in the notification the date of the alleged misconduct and confirmation that the necessary details have been supplied to your inspector by email. This should include the date of this email, which must be sent within the same timescale of 24 hours.
>
> `Records and notifications guidance, pp.21 to 22.`

> (b)in relation to an individual who is or has been carrying out (or has been offered or supplied for) a regulated role with adults, is that the individual has, whether or not in the course of the individual carrying out that role ... (i)harmed a protected adult, (ii)placed a protected adult at risk of harm, (iii)engaged in inappropriate conduct involving pornography, (iv)engaged in inappropriate conduct of a sexual nature involving a protected adult, or (v)given inappropriate medical treatment to a protected adult.
>
> `Protection of Vulnerable Groups (Scotland) Act 2007, s.2 (the referral ground).`

> An organisation which fails, without reasonable excuse, to comply with a duty imposed by any of sections 3 to 5 within 3 months of the date on which the duty arose is guilty of an offence
>
> `Protection of Vulnerable Groups (Scotland) Act 2007, s.9.`

> It is an offence for an organisation to offer any type of regulated role to an individual unless the organisation has received a Level 2 disclosure
>
> `Protection of Vulnerable Groups (Scotland) Act 2007, s.45D(1).`

> If an organisation has employees or volunteers doing a regulated role, it has a legal duty to report harmful behaviour to Disclosure Scotland.
> This duty applies whether the person is a member of the PVG scheme or not.
> By law, organisations must report harmful behaviour even if it takes place outside of work, or if the organisation only finds out about it after the person has left.
> If the organisation is responsible for removing a person from a regulated role, it has to make a referral.
>
> `Disclosure Scotland, Making a referral to Disclosure Scotland (mygov.scot, last updated 18 June 2026).`

> Employers have a duty to let the SSSC know if they dismiss a social service worker on the grounds of misconduct or if a social service worker has resigned or left their job in circumstances that would otherwise would have led to their dismissal.
>
> `SSSC, Registration: employers (Internet Archive copy of 31 January 2025).`

> Have written policies and procedures in place to protect individuals, carers, workers and others from harm.
> Put into action and monitor written policies and procedures, particularly about reporting allegations of exploitation, discrimination, harm, neglect or abuse to the relevant authority within appropriate timescales.
> Make sure workers know and understand signs of exploitation, discrimination, harm, neglect and abuse and the action they must take.
>
> `SSSC Code of Practice for Employers of Social Service Workers (2024), 4.1 to 4.3.`

> Report allegations of harm, challenge and report any dangerous, abusive or discriminatory behaviour using established systems within appropriate timescales.
>
> `SSSC Code of Practice for Social Service Workers (2024), 3.1.`

> I feel safe and I am protected from neglect, abuse or avoidable harm.
>
> `Health and Social Care Standards: my support, my life, principle "Wellbeing".`

> I am listened to and taken seriously if I have a concern about the protection and safety of myself or others, with appropriate assessments and referrals made.
>
> `Health and Social Care Standards, headline outcome "I have confidence in the people who support and care for me".`