

CONSULTATION QUESTIONS

This consultation questionnaire sets out the consultation questions from within the relevant sections of the revised Adult Support & Protection Code of Practice.

The revised Code of Practice is a larger and more comprehensive document than the original Code and we welcome your views on any of the changes made. In particular, we would appreciate your views on the following matters.

Please insert your response to the questions in the text boxes provided.

Question 1: Chapter 3

This chapter of the Code sets out the principles of the Adult Support and Protection legislation and the definition of an adult at risk.

Does this chapter help in your understanding of the legislation and whom it applies to?

If not, what changes would you suggest?

Comments It would be helpful to have a scenario/case example to illustrate what is meant by “that the adult is not treated any less favourably” than others who are not adults at risk

Question 2: Chapter 5

This chapter of the Code considers the principle of ensuring full regard is given to the wishes of the adult, and ensuring that the adult participates in decisions as fully as possible.

Does this chapter adequately covers the issues arising from ensuring as far as possible full participation by adults in decision making?

If not, what changes would you suggest?

Comments

Question 3: Chapter 6

This chapter includes new guidance on large scale inquiries. Does this provide sufficient clarity for this type of inquiry or are there additional matters you would wish considered?

Comments –

Question 4: Chapter 11

This chapter is a new addition to the Code and considers a multi-agency approach.

Does this provide sufficient clarity and support for your organisation in handling multi-agency assessments and practice?

Are there other matters that you consider should be included in this chapter?

Comments

Question 5: Users and Carers

The Code seeks to develop and articulate good practice as regards service user and carer involvement, particularly in chapters 5 and 16. Does it succeed in this? If not please suggest ways in which this area could be improved on.

Comments

Question 6:

Do you consider this revised Code of Practice will enable you to carry out your professional responsibilities effectively? Please feel free to comment on any areas of the Code which you consider could be improved in any way.

Comments

Any further comments

Comments Case scenarios, examples and exemplars would be helpful to illustrate particular issues and processes.

We also feel that further examples of undue pressure would assist at decision making stages especially in relation to protection orders. In particular more subtle situations of social (familial) convention and tradition that are embedded in belief systems and are therefore difficult for the individual to challenge because they do not think that there is an alternative. An example would be of an older parent being seriously harmed by a son/daughter who will not consent to protective measures which begs the question "would they have tolerated the harm if the harmer wasn't their child?" An exploration of the ethical dilemmas of rights versus risks illustrated by case examples would be helpful here. Professionals respect an individual's right to make choices and of familial and cultural traditions. It would be useful to have scenarios of where these ethical issues have been debated.

In addition and separately, it would be of great benefit to know how other authorities and areas are applying the 'undue pressure' test in terms of applications for banning orders. Are we considering banning orders as a matter of course and are we dismissing them because we cannot prove undue pressure?