

Adult Support & Protection: Scotland

Why does it matter? The Adult Support and Protection (Scotland) Act (2007) (ASP) provides a legislative framework to support and protect adults who are unable to safeguard themselves, their property, rights, or other interests. ASP is [everyone's business](#) – reliant on effective multi-agency working. "GPs and general practice staff have distinct expertise and experience in providing whole person medical care whilst managing the complexity, uncertainty and risk associated with the continuous care they provide." General practice are one of the key multi-agency safeguarding partners who work together to prevent, and stop, abuse and neglect from happening. [RCGP safeguarding standards for general practice](#)

GPs, primary care and other health staff

What is the legal framework? When you have a concern for an adult, consider if they might meet the ASP criteria for support and protection under the ASP Act. You should know or believe the adult:

- Is unable to safeguard their own well-being, property, rights or other interests
- Is at risk of harm, and
- Because they are affected by disability, disorder, illness or infirmity are more vulnerable to being harmed

*Remember that the inability to safeguard is not the same as incapacity. Where you **know or believe** all 3 parts are met, you should make an ASP referral to your local council. Evidence is **not** required that all elements of the three-point criteria is met. Details can be found in the [ASP Code of Practice](#). Referral contacts can be found here: [Act Against Harm](#)

Where can I access learning tools and guidance?

[Adult Support and Protection \(Scotland\) Act 2007: guidance for General Practice - gov.scot \(www.gov.scot\)](#) provides information and detail to support practical application of the 2007 Act for GPs and staff in General Practice. The RCGP safeguarding hub ([Course: Safeguarding Hub | RCGP Learning](#)) is where you can access eLearning modules built around the five key areas of safeguarding knowledge. The introduction of the [NHS public protection accountability and assurance framework](#) was supported by the publication of the NHS Education for Scotland eLearning resources, available for all staff [Public Protection | Turas | Learn \(nhs.scot\)](#)

Health Leadership in ASP Local partnerships and ASP practice benefit where GPs, primary care and other health staff are represented on their Adult Protection Committee (APC) - [National Guidance for APCs](#). The [NHS public protection accountability and assurance framework](#) makes clear that all NHS employees, GP practices, and independent contracted practitioners have a responsibility to act when an adult is at risk of harm. The aim is to ensure greater consistency in what adults at risk of harm can expect in terms of support and protection from health services in all parts of Scotland.

Information Sharing As with Child Protection, there are some circumstances when a person is at risk where confidentiality is not the primary driver for information sharing decisions. When deciding to make a referral and/or what information to share to support inquiries, consider what you believe is relevant and proportionate to the specific concerns raised. The ASP Code of Practice makes clear that it is permissible to share information when the request arises from an ASP Section 4 inquiry. The [RCGP Safeguarding toolkit: Part 5 | RCGP Learning](#) sets out the key principles of information sharing and multi-agency working: 'UK law (including UK GDPR), GMC guidelines, ICO guidelines and the Caldicott principles do not prevent sharing of personal information for the purposes of safeguarding. You can find further information here: [Confidentiality: good practice in handling patient information - professional standards - GMC](#).

Seven minute briefing

National Adult Support & Protection Coordinator

supporting those protecting others