

## WHAT IS ADULT SUPPORT AND PROTECTION?

Within society there are undoubtedly some people who are at more risk of harm than others, this may be because of illness, disability or some other factor.

The Adult Support and Protection Act (ASPA) defines this in what has come to be known as the 3-point test.

The person is an adult (aged 16 or over) and:

1. unable to safeguard their own well-being, property, rights or other interests, and
2. is at risk of harm, and
3. 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.

**Anyone in Glasgow who is subject to any intervention under the Act can access independent advocacy.**

## CONTACTS

Each of the advocacy organisations listed below have a history of working with specific care groups. However, an 'adult at risk' who does not fit into any of these groups can call **any** of the numbers below for help.

Referrals can be made by the adult at risk or anyone who knows them. Referrals can be made by telephone or in writing. Open 9am–5pm, Monday–Friday, with an answer machine outwith those hours.

### Advocacy Matters

Mental Ill Health  
5th Floor, Merchants House,  
30 George Square,  
Glasgow, G2 1EG  
**Call: 0141 572 2850**



### Equal Say

Learning Disability  
11-13 Dowanhill Street,  
Glasgow, G11 5QS  
**Call: 0141 337 3133**



### The Advocacy Project

Older People  
Cumrae House,  
15 Carlton Court,  
Glasgow, G5 9JP  
**Call: 0141 420 0961**



## INDEPENDENT ADVOCACY

AND THE **ADULT SUPPORT AND PROTECTION ACT**



## WHAT IS ADVOCACY?

1. It helps people stand up for their rights and if they are unable to, it safeguards these rights.
2. It supports people to speak up, or speaks up for them.
3. It is separate from public bodies and service provision.



## PRINCIPLES

ASPA legislation is underpinned by an important set of principles. The overarching principle is:

**"any intervention in an individual's affairs should provide benefit to the individual, and should be the least restrictive option of those that are available"**

There are also many 'guiding principles' which help decision making under the Act. The following should be taken into account:

- the wishes and feelings of the adult at risk
- the views of significant individuals such as primary carer, guardian or nearest relative
- the adult taking an active part
- providing the adult with relevant information and support
- not treating the adult less favourably than others in similar situations
- take account of the adult's abilities, background and characteristics.

## INDEPENDENT ADVOCACY

Advocacy can help ensure these guiding principles are applied and the adult has support from an agency which is separate from the body intervening in the adult's affairs.

Independent Advocacy is available to the 'adult at risk' meaning that someone unconnected with the situation can inform the adult about their rights, seek to ascertain their views and to support them to put their views across.

For example Independent Advocacy could support an adult at risk to:

- decide whether or not to consent to the authorities intervening in their affairs
- put their views across during an adult support and protection meeting
- participate during an investigation.