

APPENDIX 20: LEGISLATION FOR THE PROTECTION OF CHILDREN AND ADULTS AT RISK – SCOTLAND

Any action towards protecting an adult at risk should be undertaken in accordance with your area Adult Protection Committee procedures or your area Child Protection Committee procedures. See also: Scottish government: [Adult Support and Protection](#) for further information.

[National Guidance for Child Protection in Scotland 2021 \(Updated 2023\)](#)

The National Guidance for Child Protection in Scotland 2021 provides the framework to enable all those working with children to recognise the role they can play in remaining vigilant and providing robust support for child protection. Churches and faith organisations are included in the third sector and are recognised as having a significant role to play. The guidance serves as a practical reference point for practitioners and agencies. Appendix A provides a list of other relevant legislation.

[The Children \(Scotland\) Act 1995](#)

This outlines the legislative framework for Scotland's child protection system. It covers parental responsibilities and rights, and the duties and powers local public authorities have for supporting and promoting the safety and welfare of children.

[The Children and Young People \(Scotland\) Act 2014](#)

This amends the Children (Scotland) Act 1995 to ensure children's rights are upheld. This non-statutory guidance is for frontline practitioners, managers and strategic leaders who work with children and families facing adversities. It gives an overview of the legal framework for providing support services where there is a risk a child may become looked after, and describes who relevant services must be provided for.

[Protection of Vulnerable Groups \(Scotland\) Act 2007](#)

This legislation introduced the Protection of Vulnerable Groups (PVG) scheme to replace the former system of disclosure for people working with vulnerable groups. It identifies categories of employment or contact (regulated work) where there is the expectation that a PVG check will be required. The measures are intended to prevent unsuitable adults from working with children.

[Adult Support and Protection \(Scotland\) Act 2007](#)

The Act makes new provisions intended to protect those adults who are unable to safeguard their own interests, such as those affected by disability, mental disorder, illness or physical or mental infirmity, and who are at risk of harm or self-harm, including neglect. The fundamental principles underpinning the Act are that any intervention must provide benefit to the adult, that this benefit could not have been reasonably achieved without intervention and that any intervention is the least restrictive option to the adult's freedom.

[Protection of Children \(Scotland\) Act 2003](#) and [The Children and Young People \(Scotland\) Act 2014](#)

The Children and Young People Act sets the legal framework in Scotland and this is supported by national and local guidance. It provides measures to further improve outcomes for children and young people.

[Getting It Right for Every Child \(GIRFEC\)](#)

The practical implementation of the National Guidance for Child Protection takes place within the wider framework of Getting It Right for Every Child (GIRFEC). GIRFEC aims to build a network of support and early intervention promoting the well-being of every child in Scotland. Key components of GIRFEC include establishing a shared understanding of well-being; appropriately involving children and families in assessment, planning and intervention; and agreeing actions and outcomes that result in families getting the right help at the right time.

FOR FURTHER HELP:

[Action on Elder Abuse](#) runs a telephone helpline to give confidential advice and information to older people who are being physically, mentally or financially abused. A relative or friend of the person being abused can contact the helpline on their behalf. The helpline can be used by older people who live at home, in care homes or who are in hospital.

[Age Scotland](#) runs the helpline, Silver Line Scotland, on 0800 4 70 80 90, to help older people in Scotland with a wide variety of issues. It is a 24-hour, free and confidential service that you can phone for advice. Telephone interpretation is available. Textphone: 0845 226 5851