

Fife Multi-Agency Vulnerable Young Person's Protocol



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Introduction

The National Guidance for Child Protection 2021 (updated 2023) outlines the protection of children and young people and will include all those under the age of 18. Where a young person aged 16 or 17, or a young person under the age of 26 who has a statutory entitlement to after-care services, requires support and protection, services will need to consider which legislative, or guidance framework best fits each persons' needs and circumstances.

This protocol can be used by all practitioners to identify the most appropriate safeguarding approach for reports of harm relating to children and young people aged 16-25. These include Child Protection, Adult Support and Protection (ASP), and Care and Risk Management (CARM), where necessary. Thresholds for each pathway vary and are described in this protocol (see *relevant section*).

Multi-agency collaboration is essential for working with young people exposed to risk and/or involved in risk-behaviours. This protocol helps agencies work together with young people and others to reduce and manage risks.

Concerns about confidentiality must not obstruct the exchange of information between agencies and organisations which may be essential to the protection of young people at risk of harm: from others; to themselves or towards others.

Purpose of Protocol

This multi-agency protocol aims to:

- Provide a clear mechanism for practitioners to refer children and young people exposed to vulnerable and dangerous situations to the appropriate risk management process.
- Support practitioners to select the most appropriate pathway to safeguard the child or young person.

It is relevant for all partners: Social Work, Education, Health, Police, Housing, Scottish Fire and Rescue Service, Third Sector, and any other partner, working with young people aged between 16 and 25.

It is applicable when a child or young person aged 16-25 is assessed to be at risk of harm due to:

- The behaviour of others towards them. This includes behaviours by omission, such as a parent or carer not providing necessary medical care or failing to provide an adequate living environment therefore exposing a young person to risk and abuse.
- Their own behaviour.
- Their behaviour towards others.

This protocol references the existing legislative and guidance frameworks to protect children and young people and enables practitioners to collaboratively assess, share, and manage risk. The relevant frameworks are:

- Child Protection (CP)
- Adult Support and Protection (ASP)
- Care and Risk Management (CARM)
- Child Wellbeing Pathway
- A framework for Contextual Safeguarding is also being developed.

The thresholds for each framework are varied, and are outlined below:

Child Protection - the threshold of significant harm is met when it is determined that an unborn baby or a child aged under 18 may ***have been significantly harmed or may be at risk of significant harm***. Where the risk posed is from a person in a position of trust the threshold is harm.

Care and Risk Management (CARM) - the threshold of serious harm is met when a child aged 12 to 17 poses ***a serious risk of harm to others***.

Adult Support and Protection (ASP) - An adult ***at risk of harm*** under the Adult Support and Protection Act is any person aged 16 years or over who:

- Is unable to safeguard their own wellbeing, property, rights or other interests;
- Is at risk of harm and;
- Because they are affected by disability, mental disorder, illness, physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

All three elements must be present.

Child Wellbeing Pathway (CWP) - the CWP outlines the practice and process for all agencies in Fife to follow, to address wellbeing needs and concerns **to get it right** for all children and young people up to the age of 18. Wellbeing needs can vary over time and on occasions a more immediate multi-agency response may be required (**Child Protection/CARM/ASP**).

Referral Process

Anyone could identify a concern that a young person is at risk of harm, and such concerns should be reported without delay to Social Work, or where the risk is immediate, or a crime has been committed, to Police Scotland.

Partners should follow their own single agency processes to raise the concern. This process must consider whether the threshold for Child Protection, Adult Support and Protection or Care and Risk Management (CARM) is met.

As the national guidance outlines that protection of children and young people will include all those under the age of 18, **child protection should be the first consideration for children and young people aged 16 or 17**. Where the threshold for child protection is assessed as not met, practitioners should then consider the thresholds for Adult Support and Protection or CARM, where relevant, or the Child Wellbeing Pathway. The complexities of the circumstances around individual children or young people may mean that there is benefit in more than one pathway, therefore there must be consultation and communication between children and adult services in each agency - practitioners should refer to single agency guidance.

Child Protection Procedures

Where any core agency has information that a child may have been abused or neglected, is suffering or is likely to suffer significant harm, child protection processes should be initiated and an IRD should be convened without undue delay. The [Fife Multi-Agency Child Protection Inter-Agency Referral Discussion Protocol \(IRD\)](#) provides further information to support practitioners in next steps.

On occasions the significant harm may arise from the child or young person's own actions, and in these circumstances, consideration can be given to whether child protection processes are appropriate. This approach allows professionals to assess situations where a child's self-risk behaviours - such as self-harm, eating disorder, attempted suicide or suicidal ideations, running away or absconding, or the use of substances (drugs/alcohol) - may reach the threshold of significant harm. It is important to note that this does not imply that every instance of these behaviours should trigger a child protection pathway. Many children and young people may be more appropriately supported by alternative pathways or services, such as the Child Wellbeing Pathway, referral to the Children's Reporter and/or appropriate mental health pathways and legislation.

Care and Risk Management (CARM)

Where a child or young person presents a serious risk of harm to others an IRD should be convened without delay to consider the need to convene a CARM meeting. Serious risk of harm is defined as where there is ***'a likelihood of harmful behaviour of a violent or sexual nature that is life threatening and/or traumatic and from which recovery, whether physical or psychological, may reasonably be expected to be difficult or impossible'*** - [Framework for Risk Assessment Management and Evaluation \(FRAME\) with children aged 12-17](#).

This protocol focuses on children and young people aged 16-25, however CARM processes are relevant to those aged 12-17.

A CARM meeting will determine whether a robust Risk Management Plan (RMP) is required to reduce actual and/or potential harm. Children and Families Social Work Services will lead any required CARM processes.

The [Fife Multi-Agency Care and Risk Management \(CARM\) Protocol](#) provides further information to support practitioners in next steps.

Sexual Assault Response Coordination Service (SARCS)

Young People aged 16-18 who have experienced rape or sexual assault can access the National Self-Referral Service. This service provides support and collects potential evidence, even if the young person is not ready to report the sexual offending to the Police. This is in accordance with the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 and the Forensic Medical Services.

(Self-Referral Evidence Retention Period) (Scotland) Regulations 2022.

When to Involve the Police:

An Interagency Referral Discussion (IRD) may be considered if there are signs of vulnerability in the young person. In some cases, the police must be involved regardless of the young person's wishes, such as:

- **Public Interest:** When information suggests an immediate risk to the safety of the young person or others.
- **Immediate Risk:** If there is a threat to life, serious harm, use of weapons or firearms, abuse, exploitation, or any other significant threat that requires immediate police response.

In these situations, the welfare and safety of the individual and the public take priority over the self-referral process.

Please see [Forensic Medical Service Self-Referral Protocol](#) for guidance.

Prevent Referrals

All practitioners have a duty under the Prevent strategy to identify and respond to concerns about radicalisation. If you are worried about a young person being susceptible to radicalisation:

- Refer to the Prevent Duty Guidance for Scotland.
- Submit a [National PREVENT Referral Form](#) to preventreferrals@scotland.police.uk
- Where the threshold for significant harm is met, an IRD must be initiated without delay.

Effective safeguarding includes:

- Open communication with children and families.
- Education and resilience-building through schools and community programmes.
- Multi-agency collaboration across education, social work, health, and police.
- Proportionate and rights-based responses that avoid stigmatisation.

See: [National PREVENT Referral Form](#)

Child Protection vs. Adult Support and Protection

For vulnerable young persons, child protection should be considered first. However, a multi-agency discussion may determine that adult support and protection is more appropriate.

Adult Support and Protection (ASP)

If the decision is reached that Adult Support and Protection is the most appropriate legislative framework, Inter-Agency Adult Support and Protection procedures should be initiated. Inquiry is the first stage of the adult support and protection process undertaken by the Local Authority Adult's Social Work Service, following receipt of information about an adult. Section 4 of the 2007 Act places a duty on the Social Work Service to make enquiries about an adult at risk's wellbeing, property or financial affairs where it is known or believed that intervention may be necessary to protect the adult.

Adults Social Work will make enquiries to establish whether the three-point criteria are met, and to take any immediate actions to support and protect the adult.

An adult (aged 16 or over) is considered an adult at risk of harm under the Adult Support and Protection Act if they meet all three of the following criteria:

1. **Unable to Safeguard Their Own Well-being, Property, Rights, or Other Interests:** The adult is unable to take necessary action to protect themselves.
2. **At Risk of Harm:** The adult is at risk of harm due to their own or others' actions or inactions.
3. **Affected by Disability, Mental Disorder, Illness, or Physical or Mental Infirmary:** The adult's condition makes them more vulnerable to being harmed than adults who are not so affected.

The enquiry process includes an inter-agency referral discussion (IRD). Good practice is that all relevant stakeholders will co-operate with making referrals and assisting with inquiries. It is important to note that this process does not imply that every instance will mean further intervention via the Adult Support and Protection Act. The IRD may assess that the young adult may be more appropriately supported by alternative pathways, such as the Adults with Incapacity (Scotland) Act 2000, the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Social Work Scotland Act 1968. The principles of the Adult Support and Protection Act are considered as part of this, including assessment that intervention under the Act is the least restrictive approach and is of benefit to the young adult.

Summary of ASPC Process

As detailed above in the referral process, child protection should be the first consideration for children and young people aged 16 or 17. Where the threshold for child protection is assessed as not met, practitioners should then consider the other thresholds outlined in this document. Where the threshold for adult support and protection is met, agencies should refer to their single agency guidance and ensure appropriate consultation and communication between children and adult services in their agency.

Summary of Process for those aged **16-17 not currently open or allocated to Social Work:**

- Multi-agency Child Protection guidance is followed to make a Child Protection referral in the first instance.
- Where Child Protection is not applicable, contact should be made with the Health & Social Care Social Work Contact Centre (SWCC) by the appropriate agency.
- Where Adult Support and Protection is identified, Adult Social Work Services will take the lead. This discussion will be expected to take place on the day received at the Health & Social Care SWCC and a case note be recorded to confirm the outcome of this agreement.

Where an IRD is required under Adult Support and Protection the following actions must be taken:

- Lead service (H&SC SWCC) initiates an IRD following Adult Support and Protection IRD guidance.
- Ensure C&F and Adult Services within Social Work are included as participants as well as all other appropriate agencies.
- Conclude as part of the IRD which service will take the concerns forward, under which legislative or guidance framework and what actions were agreed.

Summary of Process for those aged **16-17 already allocated to Children and Family Social Work:**

- Multi-agency Child Protection guidance followed to make Child Protection referral in first instance.
- Where Child Protection is not applicable, contact should be made with the relevant Adult Social Work Team by the appropriate agency.
- Where Adult Support and Protection applies, Adult Support and Protection procedures as above should be followed, and professionals will be included accordingly. Adult Services will take the lead.

Summary of Process for those aged 16-17 **already allocated to Adults Social Work:**

- Multi-agency Child Protection guidance followed to make Child Protection referral in first instance.
- Where Child Protection is not applicable, contact should be made with the Adult Social Work Service by the appropriate agency.
- Where Adult Support and Protection applies, Adult Support and Protection procedures as above should be followed, and professionals will be included accordingly. Adult Services Social Work will take the lead.

Summary of process for Young Persons aged **18-25:**

Summary of Process for **cases allocated to Children and Family Social Work** for young people aged **18-25:**

- An Adult Support and Protection referral (report of harm) as per the Adult Support and Protection Interagency guidance should be made to the Health & Social Care Social Work Contact Centre Team.
- This should be progressed to the adult's locality team for an Adult Support and Protection IRD to take place.
- Agreed outcomes and actions of the IRD should be clearly recorded
- The Children and Family Team remain the lead worker/team/workers during this time.

Summary of Process for **cases allocated to Young People's Team or Care Experienced Young Person's** aged **18-25:**

- An Adult Support and Protection referral (report of harm) as per the Adult Support and Protection Interagency guidance should be made to the Health & Social Care Social Work Contact Centre Team.
- An Adult Support and Protection IRD should be carried out by the Adults Locality Team.
- The Young People's Team should be included as participants.
- Multi-agency collaboration as part of IRD process.
- Agreed outcomes and actions of the IRD should be clearly recorded.

Summary of Process for **unallocated/non-care-experienced** Young Person's aged **18-25:**

- An Adult Support and Protection referral (report of harm) as per the Adult Support and Protection Interagency guidance should be made to the Adult Services Social Work Contact Centre Team.
- Screening conducted by Adults Social Work Contact Centre will consider any requirement for Adult Support and Protection procedures.

- If applicable, normal Adult Support and Protection procedures will apply, and Adult Services will take the lead.
- Adult Support and Protection IRD undertaken by Adults Social Work Contact Centre.
- Multi-agency collaboration as part of the IRD process.
- Agreed outcomes and actions of the IRD should be clearly recorded.
- Adult Services remain the lead worker/team.

Safeguarding plans tailored to the individual needs of the young person will be developed and implemented. The legislative framework being applied should be clearly recorded.

Dispute Resolution

Where there is a difference of professional opinion at any point that cannot be resolved through discussion, the relevant escalation protocol should be followed without delay to ensure appropriate escalation and timely resolution. To protect children and young people effectively, safety planning should not be delayed, and any escalation should be prioritised by agencies involved. Please refer to [Fife Multi-Agency Child Protection Escalation and Dispute Resolution Processes](#) where required.