

## THE HIGHLAND MHO SERVICE – ADULT SUPPORT AND PROTECTION.

The Highland MHO service meets the Highland Council's statutory duty to appoint MHOs under Section 32 (1) of the Mental Health (Care and Treatment) (Scotland) Act 2003.

MHOs are experienced and qualified social workers with an additional Postgraduate Certificate award. The role requires an enhanced understanding of mental health legislation and the underpinning principles to apply such in everyday practice. The MHO is regularly required to make decisions that balance individual rights, needs, and risk, alongside community safety considerations. The autonomous role of the MHO is independent from the role of health and social care services, and is a fundamental safeguard enshrined in law, for individuals receiving a service.

The Adult Support and Protection (Scotland) Act 2007 introduced new measures for protecting adults who are at risk of harm, and because of a mental disorder, frailty, or vulnerability, are more likely to be at risk of harm, and where it is known that harm is taking place. Among the interventions MHOs are asked to advise on include Assessment Orders, Removal Orders, and Banning Orders.

Mental Health Officers also have a role in the Adult Support and Protection (Scotland) Act 2007 to give advice and guidance to multi-disciplinary teams, including assessing collaboratively the adult's ability to make decisions, recognising positive risk taking where appropriate. MHOs attend ASP case conferences, and provide advice and guidance in relation to a person's decision making ability and risks associated.

Adult concern forms in relation to adult support and protection are saved on SharePoint and should be completed by MHOs if they are concerned that an adult is at risk of harm, and submitted to the Health and Social Care team in the area ~~that~~ where the adult resides. ~~is resident in.~~

In considering Intervention in accordance with Adult Support and Protection (Scotland) Act 2007 it is best practice to ensure it is understood what decisions the person can make for themselves (autonomous decision making), what decisions the person can be supported to make (supported decision making), and what decisions they require someone else to make (substituted decision making).

MHOs may also be asked to give advice or guidance regarding deprivation of liberty situations. There is no clarified definition of deprivation of liberty but is assessed in relation to an accumulation of factors, degree, and intensity of a restriction. Adults who are unable to validly consent to their care arrangements are considered to be at risk of deprivation of liberty in their care plans if there is restriction placed on their liberty e.g. the use of restraint, including physical or chemical restraint, close surveillance, locked doors, restrictions on personal belongings, restriction on cigarettes or alcohol, access to family friends and community, without legal decision making authority can all be considered deprivation of liberty.

There is a duty MHO available each day from 9am – 5pm, and also an out of hours MHO available from 5pm – 9am. They can be contacted by telephone on;

Highland MHO Service 9am – 5pm - 01463 702156

Out of Hours Social Work 5pm – 9am **0808 1753646**