

Standard Operating Procedure

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SOP Reference No 1	For: Social Work Staff	Date	April 2026

Reason/background for S.O.P

Where it is established that legal measures are likely to be required, and no-one has made or is likely to make an application under the AWI legislation, the Local Authority has a duty to make an application for the protection of property, financial affairs or the personal welfare of the adult. An AWI case conference should be arranged to discuss what legal intervention may be required.

An AWI case conference should be considered in complex cases where family may have indicated an interest in applying for Private Welfare Guardianship but where there may be concerns around the proposed guardians or there may be conflict between individuals, including the views of the Adult on the proposed PWG(s), or if there have been unreasonable delays in the process.

An AWI Case Conference should be arranged, using the following process:

Step	Operating Step
1	<p>After discussing the case with the appropriate SW team manager, the AWI Referral Form should be completed and sent to: nhsh.awiadmin@nhs.scot, hscmho.managers@highland.gov.uk, legal.hq@highland.gov.uk to request attendance at an AWI case conference. (Must give minimum 2 weeks' notice of date and proposed time of a meeting.)</p> <p>Once the referral has been completed and sent, this should be recorded on CareFirst and saved in the client's electronic file.</p>
2	<p>A referral should be considered, and made to independent advocacy services, in respect of the adult, if this has not already been undertaken. This should be recorded on CareFirst observations if undertaken, and if not, why this has not been done. If an advocate has supported the adult to express their views, they should be invited to attend the AWI CC.</p>
3	<p>The allocated worker should seek the views, and ascertain the wishes of the Adult, and those of any relevant others, and support them to participate in the process.</p>
4	<p>People who should be invited to attend the AWI CC: The Adult, Adult's relatives/ relevant people, SWTM (Chair), social work professional, MHO, solicitor for H.Council, the consultant, G.P, advocacy, and any other professional or person with an interest in the adult's welfare. NB: Please send the consultant's invite for the AWI CC to their medical secretary. Please see attached list in AWI folder for all contact details.</p>

5	<p>AWI Report - Prior the AWI case conference, the allocated worker or Social Worker should complete an AWI Case conference report, which should be completed and sent to all invited parties, including the Chair (SW Team Manager), prior to the AWI case conference. AWI Case Conference Report.doc</p>				
6	<p>CareFirst – recording</p> <p>a) The AWI case conference date, time, location and all invited parties should be recorded on CareFirst, under Observations, Statutory Contact (in absence of a more detailed drop down). Any relevant detail should be noted here, e.g. any conflict in opinion, outcome of social care assessment etc.</p> <p>b) In addition, a new Activity should be added to Carefirst, Class: ‘Attend’, Type: ‘Case Conference’, Details: record AWI Case conference, Assigned; ‘allocated worker’.</p>				
7	<p>The allocated worker should liaise with the SW Team Manager re: chairing the AWI case conference, seek a minute taker for the meeting and agree on a venue or Microsoft teams meeting, make arrangements ensuring all invited people can participate.</p>				
8	<p>The outcome of the AWI case conference should be communicated to the Adult in question (in the most suitable format to assist understanding), normally by the attending MHO following the meeting, if legal powers are to be sought. This should be undertaken, even if the Adult was in attendance, to support their understanding and answer any questions. (Unless, it has previously been decided on medical advice that the Adult should not be informed, as to do so would cause unnecessary distress.)</p>				
9	<p>The minute of the AWI case conference must be checked and signed by the Chair, prior to being sent to all people invited to the meeting by the allocated SW or SWAP, including the Adult (unless it has been decided not to do so) within 5 - 10 working days of the meeting being held.</p> <p>If the sector Consultant/Dr is known (and did not attend), send them the AWI minutes to confirm the intention to apply for LAWG/FG/ IO and a S22 report will be required. This supports communication and informs the application process.</p> <p>If an application for LA welfare guardianship is required, the AWI CC minute and an updated AWI referral form must be sent to: nhsh.awiadmin@nhs.scot, HSCMHO.managers@highland.gov.uk & Legal.hq@highland.gov.uk (cc: to the MHO & Legal representative who attended AWI CC.)</p>				
10	<p>AWI Admin will refer to NHS triage for a S22 report and arrange 2nd medical report. AWI Admin will inform MHO service and Legal of S22 date of assessment. An MHO will then be allocated. It is essential that there is an up-to-date assessment of the Adult’s current needs and risks, which should be shared with the allocated MHO.</p>				
11	<p>CareFirst should be updated to inform of the decision of the AWI CC and submission of AWI referral to progress Guardianship/IO application.</p>				
<p>Author</p>	<p>Date</p>	<p>Approved for Use by</p>	<p>Date</p>	<p>Review Date</p>	<p>Responsibility</p>
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