



Workforce

Criteria for referral to external agencies

The following guide forms part of the standard for workforce policies that apply to all staff within NHSScotland regardless of which Board they are employed by.

Adult Protection

Where it is known or suspected that a vulnerable adult or adult at risk has suffered, is suffering or is at risk of abuse.

Abuse may be:

- Physical abuse
- Neglect
- Emotional abuse
- Sexual abuse
- Financial abuse

Vulnerable Patients

Patients in general wards and departments with cognitive impairment and who might lack capacity. This includes patients with delirium, dementia and may include patients with a learning disability.

Adults at Risk

A person aged 16 or over who is unable to safeguard their own well-being, property, rights or other interests. They may also be at risk of harm.

They are more vulnerable to being harmed than adults who are not so affected by:

- disability
- mental disorder
- illness
- physical or mental infirmity

This can apply to situations related to the employee's work or in a non-work situation where it has implications given the nature of the post the employee has.

Stage of the process

A discussion should take place with the designated adult protection adviser as soon as possible adult protection issues are raised.

Further guidance is available from:

- the employer's adult protection adviser
- or Local inter-agency adult protection procedures

Child Protection

Where it is known or suspected that a child has suffered, is suffering or is at risk of abuse.

Abuse may be:

- Physical abuse
- Neglect
- Emotional abuse
- Sexual abuse

This can apply to situations related to the employee's work or in a non-work situation where it has implications given the nature of the post the employee has.

Stage of the process

A discussion should take place with the designated Child Protection Adviser as soon as possible child protection issues are raised.

Further guidance is available from:

- the employer's child protection adviser
- or Local inter-agency child protection procedures.

Counter Fraud Service

Where there is suspicion of:

- fraud
- forgery and uttering
- embezzlement
- bribery and corruption
- financial irregularities involving dishonesty or deception – e.g. timesheet or travel claim irregularities, sick leave irregularities
- failure to declare gifts, gratuities and hospitality
- Theft of high -value NHSScotland funds or property

Stage of the process

A referral to the Counter Fraud Service should be made before any other action is taken. Agreement should be sought as to when it will be appropriate to proceed with an internal investigation.

Further guidance is available from:

- Employer's Fraud Liaison Officer
- Guide to the Counter Fraud Service
- Counter Fraud Service Website

Police

Where there is suspicion of criminal activity:

- assault
- theft
- drug offences

In cases of adult and child protection, the Police may be alerted as part of the interagency referral process.

Stage of the process

A referral to the Police should be made before any other action is taken. Agreement should be sought as to when it will be appropriate to proceed with an internal investigation.

Further guidance is available from:

- Police Scotland

Protection of Vulnerable Groups (PVG) – Referral to Disclosure Scotland

Where an employee doing regulated work:

- Harms a child or protected adult
- Places a child or protected adult at risk of harm
- Engages in inappropriate conduct involving pornography
- Engages in inappropriate conduct of a sexual nature involving a child or protected adult
- Gives inappropriate medical treatment to a child or protected adult

Harm includes:

- Physical harm

- Psychological harm
- Unlawful conduct which appropriates or adversely affects another person's property, rights or interests

Examples of harmful behaviours include:

- Emotional abuse including extreme verbal threats
- Neglecting a person's needs
- Inappropriate physical restraint
- Failing to attend to health and safety requirements
- Supplying illegal or unauthorised drugs

Stage of the process

A PVG referral should be made when the employee :

- is dismissed
- is permanently transferred to non-regulated work
- resigns and the outcome would otherwise have been dismissal or removal from regulated work

Further guidance is available from:

- the Employer's guidance on PVG referrals
- and the Disclosure Scotland Website

Regulatory Bodies

A referral to a regulatory body can be made in the course of an investigation, where one or more of the following happens:

- a serious risk to patient safety is identified
- suspension or dismissal is being considered
- an incident involves criminal behaviour
- serious misconduct is suspected
- real harm has been caused

List of regulatory bodies:

Association of Chartered Certified Accountants (ACCA)

Association of Accounting Technicians (AAT)

Chartered Institute for Management Accountants (CIMA)

Chartered Institute of Personnel and Development (CIPD)

Chartered Institute of Public Finance and Accountancy (CIPFA)

Chartered Institute of Purchasing and Supply (CIPs)

General Chiropractic Council (GCC)

General Dental Council (GDC)

General Medical Council (GMC)

General Optical Council (GOC)
General Osteopathic Council (GOsC)
General Pharmaceutical Council (GPhC)
Health and Care Professions Council (HCPC)
Nursing and Midwifery Council (NMC)
Scottish Social Services Council (SSSC)

Stage of the process

An early discussion should take place with the relevant regulatory body when a significant concern is identified, as each body has its own procedures to determine appropriate referrals. Contact should be made even if the employee is suspended to protect patients on the basis the employee may have other employment.

Further guidance is available from:

- the employer's policies on referral procedures
- and the Regulatory bodies' websites