**SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014**

**ACTIVITY**

## Adult Protection and Support Orders (APSOs)

## Acting independently

1. Why do authorised officers need to be willing and able to challenge?

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| Suggested answer:Authorised officers are authorised by the local authority. The APSO guidance says that they act on the local authority’s behalf, however that they have a degree of autonomy.*1.6 Local authorities will need to be clear as to who has responsibility to act on behalf of the authority and be able to provide evidence of authorisation.**1.8 It is essential that the ‘authorised officer’ has a degree of autonomy from his or her employer and is able to perform the functions independently of the day-to-day management of the particular case.* Participants are likely to have talked about benefits of independence such as: acting as a check on local authority power; taking an objective view; not being linked to the case in terms of having a relationship with the alleged perpetrator; acting to uphold citizen and human rights.It may be useful to compare the role to the role of approved mental health practitioner (AMHP) under the Mental Health Act 1983 as amended. AMHPs act as autonomous professionals who undertake assessments and give their professional opinion. This acts as a check and balance alongside doctors. Doctors cannot be AMHPs. Also the role of Best Interest Assessors (BIA) who make independent best-interest decisions.In the law, it is the authorised officer who makes the application on behalf of the local authority. It is the Justice of the Peace who decides if the order is made. It is likely that local authorities will build governance processes around the process of making an application to ensure that authorised officers act lawfully and have support. It may be useful to ask participants to discuss what work been done around APSO processes so they can share best practice models.Although authorised officers need to be able to challenge appropriately, they do of course need to be able to collaborate and work constructively with others.  |