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

**HANDOUT**

## Adult Protection and Support Orders (APSOs)

## Process

This handout sets out the process for an APSO. It combines Annex A of *Working Together to Safeguard People: Volume 4 – Adult Protection and Support Orders* (which sets out the steps for an application) with the process that is covered in the APSO training module (which covers all the practice steps and links them to the guidance).

| **Annex A: Step-by-step approach for an application for an APSO** | **Training module: Step-by-step process for the use of an APSO**  |
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| 1. **Collect evidence**

Relevant authorities focus on what is most relevant and necessary to provide evidence for the court to arrive at a clear understanding of the matter.  | 1. **Collect evidence**

Grounds and standard of proof; gathering evidence; information sharing; dealing with lack of information; creating a balance sheet. |
| **2. Consider accompanying people** The ‘authorised officer’ must consider who may be required to accompany them on the visit, and what information the court may require in order to agree to any such request.  | 1. **Planning**

Duration of APSOs; timing of use; accompanying people; advocacy; giving notice; minimising force and risk; safe enquiries. |
| **3. Make application to the magistrates’ court** An application for an APSO is by complaint to the magistrates’ court using the appropriate form at Annex B. As a matter of good practice the application should primarily be made to the magistrates’ court for the area in which the premises are located.  | 1. **Court**

Court skills; support for witnesses; judgement; immediate post-APSO procedure. |
| **4. The hearing** The ‘authorised officer’, with appropriate legal support, should ensure that all the evidence and witnesses are available at the hearing, including any evidence in support for the court to make an immediate order. The ‘authorised officer’ will need to liaise with the court regarding listing before bringing witnesses, etc., to court.  |
| **5. Immediate post-APSO procedure** Where an APSO is granted, where it provides for notice to be served, personal service should be arranged as soon as possible. In all cases service should be recorded. The local authority should ensure that a copy of the APSO is forwarded immediately to the police. Copies of the APSO should also be given to any other relevant agency. |
|  | 1. **Using an APSO**

Entry; explanation; assessment; communication; free decision making; police powers; exit strategy; contingency. |
|  | 1. **Next steps**

Contingency and action planning. |

This handout can act as a reference for you in your practice.