

Appropriate Adults Operational Group

Terms of Reference

Purpose

1. On 10 January 2020 the Scottish Government commenced secondary legislation enabled by the Criminal Justice (Scotland) Act 2016 (the “2016 Act”) to establish a statutory Appropriate Adult service.
2. One piece of the secondary legislation - the Criminal Justice (Scotland) Act 2016 (Support for Vulnerable Persons) Regulations 2019 – relates to the following statutory functions:
 - the functions of ensuring the availability of Appropriate Adults and training Appropriate Adults, which are conferred on local authorities; and
 - the function of assessing the quality of Appropriate Adult support, which is conferred on the Care Inspectorate.
3. The other piece of the secondary legislation – the Criminal Justice (Scotland) Act 2016 (Commencement No.6 and Transitional Provision) Order 2019 - commenced section 42 of the 2016 Act, which places a duty on the police to facilitate support for vulnerable persons in police custody. This type of support is usually provided by Appropriate Adults.
4. These terms of reference are made in relation to the Operational Group which incorporates training and standards, which has been established as a subgroup of the National Oversight Group as part of the work relating to supporting the implementation of the above pieces of legislation.

Remit

5. The Operational Group brings together local authorities, service providers and key partners with a statutory involvement or interest in Appropriate Adult provision to promote and support the implementation of the now statutory Appropriate Adult services.
6. The aim is to create a formal mechanism between the National Oversight Group and operational areas of service provision whilst developing and embedding responsibilities nationally. Areas to be covered will include but not be limited to:
 - Local policy development
 - Training and standards
 - Operational developments
 - Quality assurance
7. Members will be expected to represent their respective organisations at the group and ensure all relevant information is fed back to those they represent.

Membership

8. Core membership of the group is as follows:

- Appropriate Adults
- Appropriate Adult Coordinators
- Local Authority Reps
- Police Scotland
- COSLA (Communities Team)

Other partners will be invited to attend if an agenda item would benefit from wider input.

Frequency of meetings

9. The initial meeting will be 18 August 2022 and thereafter quarterly or as decided by the membership.

Office Bearers

10. The chair of the group is the Policy and Participation Officer Appropriate Adults at COSLA, and the vice chair will be undertaken by a nominated member of the group.