

Newfoundland & Labrador Association of

**Social Workers**

## Adult Protection Act Five-Year Review

Presented to:

Department of Children, Seniors and Social Development

January 31, 2020

### Newfoundland and Labrador Association of Social Workers (NLASW)

NLASW is the regulatory body and professional association for over 1500 professional social workers in this province. NLASW is responsible for regulating the practice of social work under provincial legislation titled the *Social Workers Act*. The vision is Excellence in Social Work.

As an organization, NLASW is committed to advancing health and social policy to ensure the well-being of the citizens of Newfoundland and Labrador. As registered social workers play a pivotal role in the implementation of the Adult Protection Act, the NLASW welcomes the opportunity to provide input into the five-year review of the Act.

The NLASW understands that the Department of Children, Seniors and Social Development has also engaged in extensive consultation with front line social workers, supervisors and managers who have in-depth working knowledge of the legislation and can provide information on changes that may be necessary to enhance the Act in best interests of adults requiring support and protection.

#### What is Working Well

The Adult Protection Act is an important and necessary piece of legislation focused on the protection of adults who require intervention and support. The principle of best interest of the adult is important and should remain as a primary guiding principle in the legislation.

The focus on capacity is also something that has been working well. As the legislation applies to those who lack capacity and in need of adult protection, it strikes a good balance between a person's right to self-determination and the provision of appropriate intervention.

The interdisciplinary team approach for the assessment of capacity is also something that should continue moving forward. While social workers coordinate the assessment process and complete the social work assessment, having an interdisciplinary focus allows for a complete and comprehensive assessment for adults who may require protective intervention and support.

#### Benefits That Have Been Realized

Some of the benefits that have been realized as a result of the Adult Protection Act include:

- Protection of vulnerable adults in need of protection

- Clarity around expectations and requirements for reporting

### Strengthening the Adult Protection Act

Moving forward, there are several issues that should be considered in strengthening the Act:

- Education and Training: Additional and on-going training for health care professionals on capacity assessments.
- Workload/Human Resource Capacity: Consideration of workload issues for health care professionals that are completing APA evaluations or investigations.
- Conflicts of Interest: Addressing issues with colleagues investigating colleagues at the same work site.
- Public Awareness: On-going public awareness (including social media) on the APA and reporting requirements.
- Communication: Ensuring that those within the circle of care have access to the necessary information they need in completing evaluations.
- Documentation: Additional training and support for social workers completing APA documentation.

### Additional Feedback

In responding to the needs of Aboriginal adults, culture is an important consideration. Cultural competency should be an essential component of service delivery. Therefore, it is important that social workers and other health care professionals involved in the implementation of the Adult Protection Act receive on-going training on culturally competent practice and in developing protection plans that consider the uniqueness of Aboriginal culture (s).

### Conclusion

The NLASW looks forward to continuing to work collaboratively with the Department of Children, Seniors and Social Development to enhance adult protection services in Newfoundland and Labrador.