

9th June 2014**Agenda Item: 10****REPORT OF THE SERVICE DIRECTOR SOUTH NOTTINGHAMSHIRE****INTIMATE PERSONAL RELATIONSHIPS POLICY****Purpose of the Report**

1. This report asks Committee to recommend change to the revised staff guidance on sex and sexuality, now called the Intimate Personal Relationships Policy and Staff Guidance, to Policy Committee for approval.

Information and Advice

2. The Adult Social Care, Health and Public Protection Department currently has staff guidance on sex and sexuality, which was approved by Delegated Decision on 16th November 2007.
3. Work to update the guidance was initiated last year by Community Learning Disability Team (CLDT). The purpose of the update was to take account of new legislation and new case law, and to change the emphasis of the guidance from sexuality to intimate personal relationships. This was to ensure that staff are aware that an assessment under the Mental Capacity must be completed by a competent practitioner if doubts are raised by anyone, including family or friends, about a person's ability to make decisions about an intimate personal relationship, including a marriage or civil partnership.
4. The new documents are applicable to all vulnerable adults in all areas of the county. If approved, the staff guidance and policy will be published in the Policy Library on the Intranet and the policy will be available to the general public on the Internet.

Other Options Considered

5. No other options were considered.

Reason/s for Recommendation/s

6. The policy and staff guidance are important in ensuring that staff act within the law and that vulnerable adults are protected.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Safeguarding of Children and Vulnerable Adults Implications

8. The law relating intimate personal relationships involving vulnerable adults is complex. It is essential that a test for capacity is undertaken in all situations where there are doubts about a vulnerable adult's ability to consent to sexual activity, marriage or civil partnership. The revised policy and staff guidance gives protection to vulnerable adults, and to County Council staff in carrying out their duties.

RECOMMENDATION/S

The Adult Social Care and Health Committee are asked to:

- 1) Recommend the changes to the Intimate Personal Relationships Policy and Staff Guidance, which will go to Policy Committee on the 2nd July.

Caroline Baria, Service Director South Nottinghamshire

For any enquiries about this report please contact Sarah Hampton, Commissioning Officer 0115 9774969

Constitutional Comments (SLB 30/05/2014)

9. Adult Social Care and Health Committee is the appropriate body to consider the content of this report.

Financial Comments (KAS 20/05/14)

10. There are no financial implications contained within this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the local Government Act 1972.

- Intimate Personal Relationships Policy – final draft
- Intimate Personal Relationships Staff Guidance – final draft

Electoral Division(s) and Member(s) Affected

All