

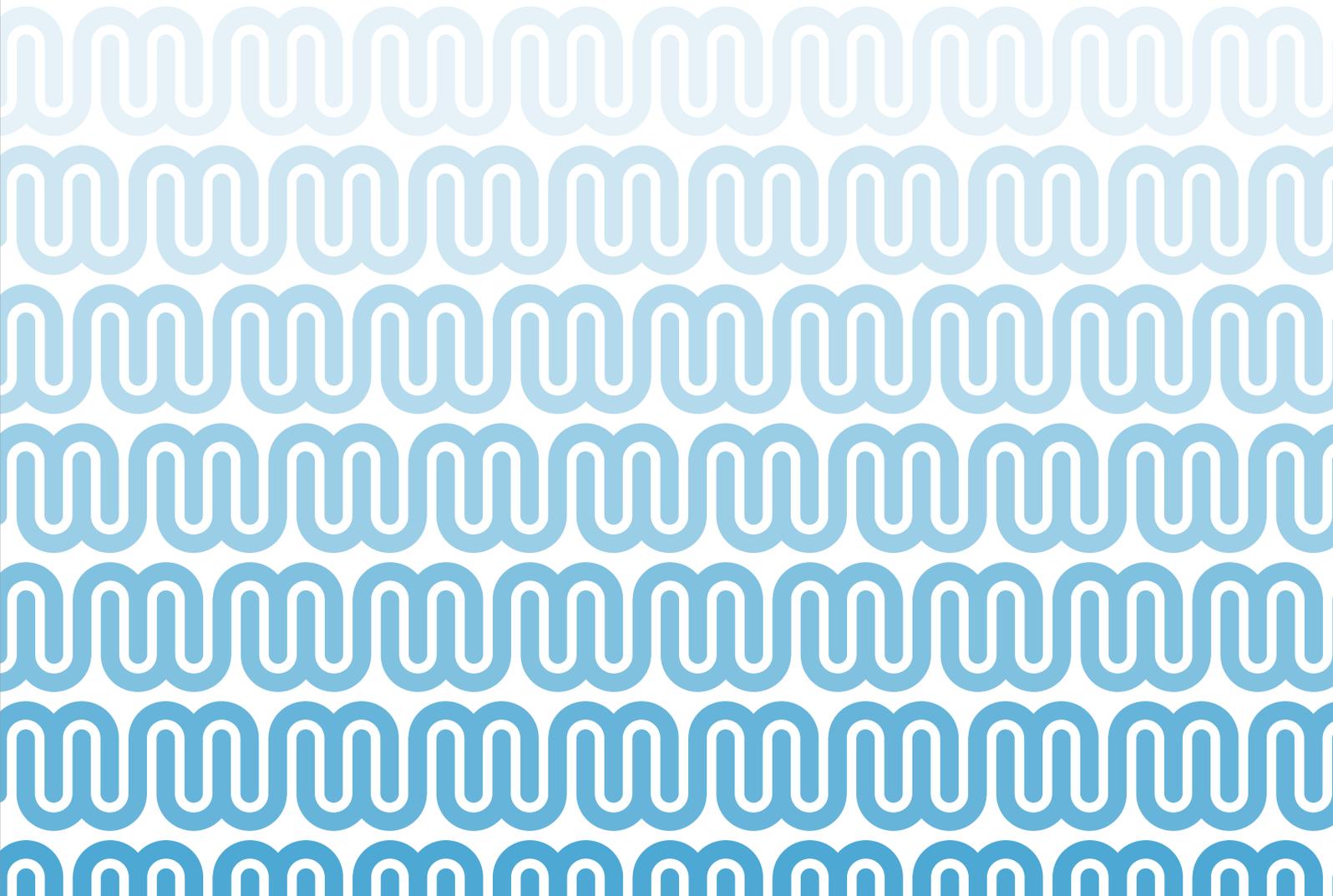


mental welfare
commission for scotland

Adults With Incapacity Act monitoring report 2020-21

Statistical Monitoring

November 2021



Our mission and purpose

Our Mission

To be a leading and independent voice in promoting a society where people with mental illness, learning disabilities, dementia and related conditions are treated fairly, have their rights respected, and have appropriate support to live the life of their choice.

Our Purpose

We protect and promote the human rights of people with mental illness, learning disabilities, dementia and related conditions.

Our Priorities

To achieve our mission and purpose over the next three years we have identified four strategic priorities.

- To challenge and to promote change
- Focus on the most vulnerable
- Increase our impact (in the work that we do)
- Improve our efficiency and effectiveness

Our Activity

- Influencing and empowering
- Visiting individuals
- Monitoring the law
- Investigations and casework
- Information and advice

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Summary and key findings

The Mental Welfare Commission for Scotland (‘the Commission’) has safeguarding duties in relation to people who are subject to the protection of the Adults with Incapacity (Scotland) Act 2000 (‘the AWI Act’) [1]. This duty includes monitoring the use of welfare guardianship orders for adults with a mental illness, learning disability, dementia and related conditions, to determine how and for whom the AWI Act is being used. This helps us to inform policy and practice.

This statistical report is published as part of the Commission’s duty to monitor AWI Act data and relates to 2020-21. This year’s data is impacted by the implementation of the Coronavirus (Scotland) Act 2020 on 7 April 2020 specifically schedule 3 part 2:

- ‘Stop the clock’ provisions for guardianships, meaning that whilst the provision was in force the guardianship order was effective, but the time to expiry was paused. This dealt with the issue of possible expiry of guardianships before a renewal application could be lodged at court.
- ‘Stop the clock’ provisions for s.47 certificates for medical treatment. This certificate is used by a doctor to enable them to treat a person who does not have capacity to make their own decisions on treatment. The ‘stop the clock’ pandemic change to the Act meant that whilst the provision was in force the s.47 certificate was effective, but the time to expiry was paused. This dealt with the issue of possible expiry of certificates before a doctor could re-certify.

Key findings

- There were 16,033 individuals subject to a guardianship order on 31 March 2021, compared to 15,973 in 2020.
- A total of 2,194 guardianship orders were granted in 2020-21, which was 30% fewer than in 2019-20.
- Of all granted guardianship orders, 91% were new orders compared to 78% in 2019-20. This increase follows from a consistent downward trend in new orders since 2011-12.
- The overall rate of granted guardianship orders was 48.2 per 100,000 in Scotland. This was the lowest rate we have seen since 2013-14. The rate varies between local authorities (Figure 13, Table A9), with the highest rate in Orkney (132.8, 95% CI¹: 80.7–184.8) and the lowest rate in Aberdeenshire (28.2, 95% CI: 22.0–36.5).
- Private guardianship orders accounted for 72% of all guardianships granted, which was similar to previous years.
- The most common primary diagnosis was learning disability (47%) and dementia (38%).
- Most of the granted orders were for a period of five years or less (77%), while 17% were for six years or longer, and 5% were indefinite orders.
- Decline in indefinite orders is driven by a shift in fewer people with learning disability being granted an indefinite guardianship order (from 27% in 2011-12 to 1% in 2020-21). We welcome this shift.

¹ The confidence interval (CI) gives a measure of the precision of a value. It shows the range of values that encompass the population or ‘true’ value, estimated by a certain statistic, with a given probability. For example, if 95% confidence intervals are used, this means we can be sure that the true value lies within these intervals 95% of the time.

- There were 38 requests for a section 48 visit by a doctor appointed by the Mental Welfare Commission. 35 section 48 visits took place. This was significantly lower than in 2019-20 where a total of 61 requests were made and 57 visits took place, a decrease of 38% and 39% respectively. Only one request was made for a section 50 dispute resolution visit; this visit subsequently was not required.
- The majority of section 48 visit requests were for electro-convulsive therapy (ECT) (76%), with those remaining for medication to reduce sex drive.

Introduction

The Mental Welfare Commission for Scotland ('the Commission') is part of the framework of legal safeguards in place to protect the rights of people subject to welfare guardianship orders, intervention orders and powers of attorney (POA). We monitor the use of the welfare provisions of the Adults with Incapacity (Scotland) Act 2000 ('the AWI Act'). We also monitor the use of Part 5 of the AWI Act relating to consent to medical treatment and research.

The Commission receives a copy of every application for welfare guardianship, including the powers sought, medical and mental health officer (MHO) assessments, and a copy of the order granted by the sheriff. We collate and analyse data compiled from the relevant paperwork provided to us and publish monitoring reports, such as this one, with comment and analysis of trends in the use of the Act.

Whilst this report is a statistical monitoring report only, it is important to explain that the Commission also visits people who are subject to guardianship orders and provides advice and good practice guidance on the operation of the AWI Act as part of our casework function. Our visits may lead to further inquiries or investigations, where indicated, to protect and promote the rights of the person.

Specific themed pieces of guardianship-related work undertaken by the Commission during the past year include:

- *Authority to discharge: Report into decision making for people in hospital who lack capacity* [2].
- *Care and treatment for people with alcohol related brain damage in Scotland: A report on visits to people and services across Scotland in 2021* [3].

The data we present in this report shows a 30% reduction in guardianship orders granted in 2020-21 compared to 2019-20. The Covid-19 pandemic and the implementation of parts of the Coronavirus (Scotland) Act 2020 provides the context for this year's data.

Whilst this is a statistical report, we recognise that implementation of the AWI Act relates to individual people, their families and those most important to them.

Welfare powers of attorney and guardianship orders

The AWI Act introduced a system for safeguarding the welfare and managing the finances of people who lack capacity to act, or to make some or all decisions for themselves due to a mental illness, learning disability, dementia or related conditions. It allows other people, called guardians or attorneys, to make decisions on behalf of those who lack capacity, subject to safeguards.

When a person has capacity they can grant a POA to someone to act on their behalf, should they become unable to make some or all of their own decisions. Welfare powers however can only be used if the person does not have capacity to make the specific decisions themselves. Sometimes the person's solicitor will write a specific clause in the power of attorney document ensuring that this will be determined by a medical practitioner. Other documents do not have such clarity and are left to be determined by the proxy decision maker (attorney).

The Commission would suggest the former is a better option, as the level of incapacity is then determined by an independent person.

When a person no longer has capacity, and has no pre-existing POA, an application may be made to the court and the sheriff may appoint a welfare guardian as proxy decision maker. The welfare guardian is then involved in making key decisions concerning the person's personal and medical care. Decisions by attorneys or guardians should always be in line with the principles of the AWI Act (see Box 1).

The majority of guardians are private individuals, usually a relative, carer or a friend. These are known as private guardians. The court can also appoint the Chief Social Work Officer (CSWO) of a local authority to be the person's welfare guardian, especially if private individuals do not wish to take on the role as guardian. This is known as a local authority guardianship order.

Under the AWI Act, local authorities have a duty to make an application for welfare guardianship orders where it is required and where no one else is applying. Local authorities also have a duty under the AWI Act to support and supervise all welfare guardians, and to visit the person and their guardian at regular intervals. In addition, local authorities can investigate issues relating to the welfare of an adult where a proxy decision maker (guardian or attorney) exists and there are welfare concerns (under section 10(1) of the AWI Act) [4].

Box 1. Principles of AWI legislation

Principle 1 – Benefit

Any action or decision taken must benefit the person, and only be taken when that benefit cannot reasonably be achieved without it.

Principle 2 – Least-restrictive option

Any action or decision taken should be the minimum necessary to achieve the purpose. It should be the option that restricts the person's freedom as little as possible.

Principle 3 – Take account of the wishes of the person

In deciding if an action or decision is to be made, and what that should be, account must be taken of the present and past wishes and feelings of the person as far as these may be understood. Some adults will be able to express their wishes and feelings clearly, although they would not be capable of taking the action or decision which you are considering. For example, they may continue to have opinions about a particular item of household expenditure, without being able to carry out the transaction personally. The person must be offered help to communicate their views. This might mean using memory aids, pictures, non-verbal communication, advice from a speech and language therapist, or support from an independent advocate.

Principle 4 – Consultation with relevant others

Take account of the views of others with an interest in the person's welfare. The AWI Act lists those who should be consulted whenever practicable and reasonable. It includes the person's primary carer, nearest relative, named person, attorney, or guardian, if there is one.

Principle 5 – Encourage the person to use existing skills and develop new skills

Encouraging and allowing the adult to make their own decisions and manage their own affairs and, as much as possible, to develop the skills needed to do so.

AWI Act law reform

Between January and April 2018, the Scottish Government carried out consultation on the AWI Act to seek views on changes to the legislation and practice around its use. The review addressed the need to reflect requirements of the United Nations Convention on the Rights of Persons with Disabilities (UNCPRD) [5] and concerns that many of the processes with the legislation required to be reviewed.

In our 2018 *Adults with Incapacity Act statistical monitoring report* we outlined that the Commission was working with the Scottish Government in working groups regarding law reform [6]. The Scottish Government has since established the Scottish Mental Health Law Review (SMHLR). The SMHLR is looking at the current three acts, the Mental Health (Care and Treatment) (Scotland) Act 2003; the AWI Act; and the Adult Support and Protection (Scotland) Act 2007) and the Commission continues to be represented on associated working groups.

This report

In this statistical report we look at the trends of existing and new guardianship orders in Scotland. Monitoring these trends, including reference this year to the significant impact of Covid-19, helps to inform policy and practice.

Our data

When an application is made to a sheriff and a guardianship order is granted, the Commission is sent a record which is stored on our database. We report on the last year's number of granted guardianship orders for the period 1 April to 31 March. This year's report concerns all granted guardianship orders from 1 April 2020 to 31 March 2021 and where appropriate, trends from 2011-12 onwards are presented. We also report on extant or existing guardianship orders, which includes all individuals in Scotland who were subject to a guardianship order on 31 March 2021.

We are particularly interested in understanding the context and characteristics of the guardianship orders and our analyses therefore focus on: a) demographic characteristics (age, gender, diagnosis), b) guardianship status (new or renewed order), c) guardian type (private or local authority), and d) length of guardianship.

In this year's report we have also considered the potential impact of the Covid-19 pandemic and looked at changes from previous years' trends. In these instances, we have looked at the relative difference (in percent) to the last reporting year as compared to the year-on-year average for the period 2011-12 to 2019-20.

We follow Public Health Scotland's standards on data disclosure, as data relating to mental health and vulnerable populations is considered sensitive [7]. Measures to prevent identification are therefore taken and we suppress numbers of less than five where needed. Secondary suppression of additional cases is done where only suppressing one case would allow for deriving the number through subtraction.

All percentages throughout the report have been rounded to the closest full number and in places the total may therefore not add up to 100%. Rate per 100,000 population were calculated using mid-2020 population statistics from National Records Scotland for the population aged ≥ 16 years [8].

For the rate of guardianship orders per 100,000, 95% confidence intervals (CIs) are reported. A CI indicates the likelihood of a value occurring within a range relating to a calculated value. We use the confidence level of 95%, meaning for a rate of guardianships we provide the calculated range within which we are 95% certain that the true value lies within. The wider the CI, the less certain the rate. This is influenced by the overall number of guardianships orders, so for small local authorities with few granted guardianships this results in a wider CI and the calculated rate, and these estimated rates should therefore be interpreted and compared with caution. Rate calculated from small samples ($n < 20$) have higher relative standardised errors (RSE). The rate, therefore, is unstable and comparing it with other areas or with rates in previous years might lead to incorrect conclusions [9].

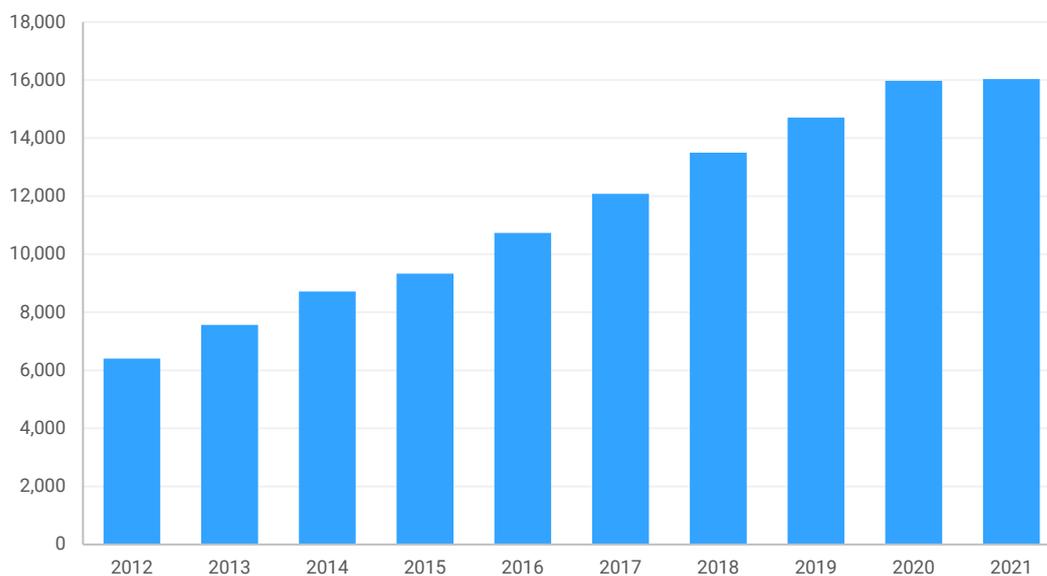
While we can report on differences in age, gender and diagnosis of individuals granted a guardianship order we do not have information related to the ethnicity of individuals as that is not currently recorded as part of the guardianship process.

Extant guardianship orders

We count the number of people who are subject to a welfare guardianship order on a particular day – 31 March 2021. We call this ‘extant or existing orders’.

On 31 March 2021 there were 16,033 individuals subject to a guardianship order in Scotland. The number of people on a guardianship order in Scotland has increased over time (Figure 1), but compared to 2020 there was only a 0.38% increase this year. A breakdown of characteristics of extant guardianship orders is provided in Table A1, which shows that 63% of all people on a guardianship order were 45 years or older, a third (30%) were on an indefinite order, the most common primary diagnoses were learning disability (52%) and dementia (35%), and 78% were subject to a private guardianship order.

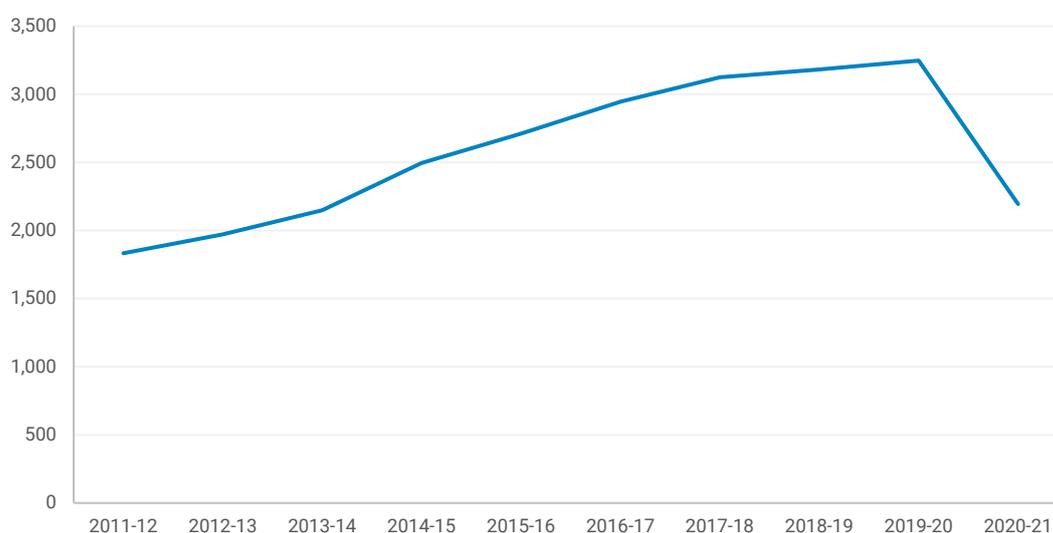
Figure 1. Number of people on a guardianship order in Scotland on 31 March by year



Granted guardianship orders

In 2020-21, a total of 2,194 guardianship orders were granted (Figure 2). The number of granted guardianships was 30% lower than in 2019-20. The number of granted guardianship orders before 2020-21 had increased year-on-year since 2011-12, with an average change of 12% per year.

Figure 2. Total number of new and renewed guardianships granted by year



For guardianship orders granted in 2020-21 there was an even gender split, and most guardianship orders were for individuals with learning disability (47%) or dementia (38%) (Table 1). This was similar to the previous year. In terms of duration, around half (47%) of the orders were 4–5 years, and only 5% were indefinite. 30% of orders granted this year were for 0-3 years compared to 26% in this category last year.

A greater proportion of granted guardianship orders were to private individuals (72%) rather than the local authority, which was similar to previous years (Table A2). Those subject to guardianship orders tended to be older; 64% were 45 years or older (Table 1). The age of those granted a guardianship order in 2020-21 was similar to the previous year.

Table 1. Characteristics of granted guardianship orders 2020-21

Characteristic	Grouping	n (%)
Age (years)	16–24	467 (21%)
	25–44	336 (15%)
	45–64	410 (19%)
	>65	981 (45%)
Gender	Male	1,079 (49%)
	Female	1,115 (51%)
Primary diagnosis	Learning disability	1,021 (47%)
	Dementia	823 (38%)
	ABI	129 (6%)
	Mental illness	108 (5%)
	ARBD	91 (4%)
	Other	*
Length of guardianship	Inability to communicate ²	*
	0–3	660 (30%)
	4–5	1,034 (47%)
	≥6	380 (17%)
	Indefinite	120 (5%)
Guardian status	Private	1,588 (72%)
	Local authority	606 (28%)

*n<5 or secondary suppression

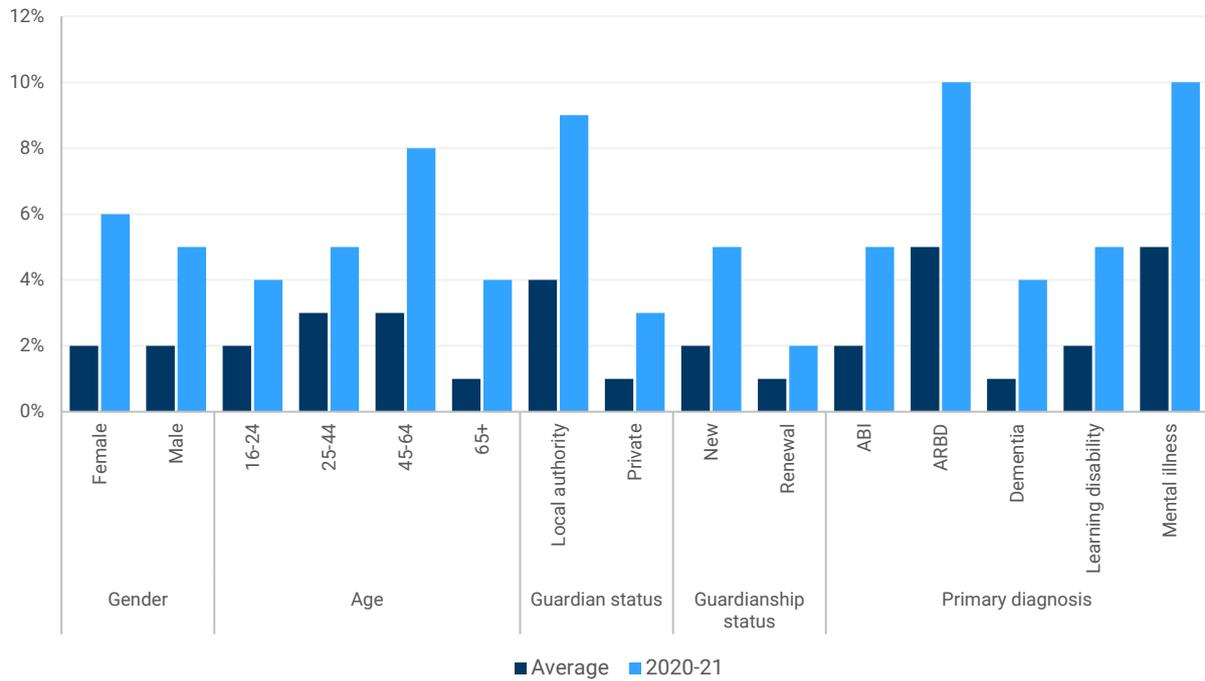
Time between application and granting of the order

The Commission is notified of the date of an AWI hearing in court and also the date the order is granted. While most (80%) orders were granted within two months or less of the application being made to court, this was a decrease compared to previous years where on average 92% of orders were granted in two months or less. As a result, compared to the average for the years 2011-12 to 2019-20 we saw more orders taking 3–4 months (9% vs 4%), 5–6 months (6% vs 1%) and more than six months (5% vs 2%) from application to granting this year.

When looking at orders that took more than six months to granting, we could see some differences. Figure 3 shows that the proportion waiting more than six months to granting was higher among those with diagnosis of alcohol related brain damage (ARBD) and mental illness, those whose orders were for a local authority guardian, those aged 45-64 years, new orders, and for females. For all these groups the proportion waiting more than six months at least doubled.

² Due to the small number of individuals with a diagnosis of inability to communicate due to a physical condition, this has been excluded from subsequent analyses.

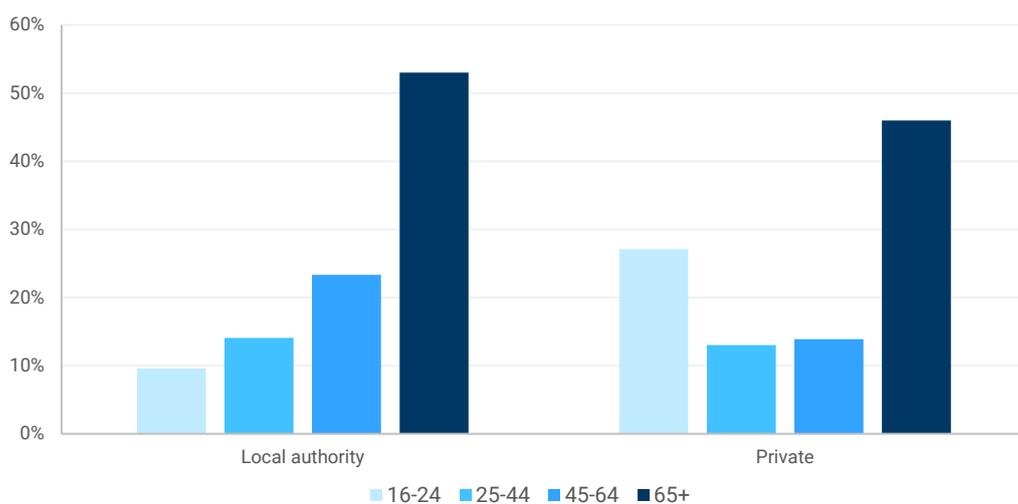
Figure 3. Proportion of orders granted after more than six months in 2020-21 compared to average for 2011-12 to 2019-20.



Age

There are some differences in age of the individual depending on guardianship status; data tells us that local authority guardianship orders more often relate to people over the age of 65 years with less than 10% in the youngest age group (Figure 4). For private guardianships, orders granted in 2020-21 were also mostly in place for the over 65 year group however the second biggest category was the youngest age group, 16–24 years (see Table A3).

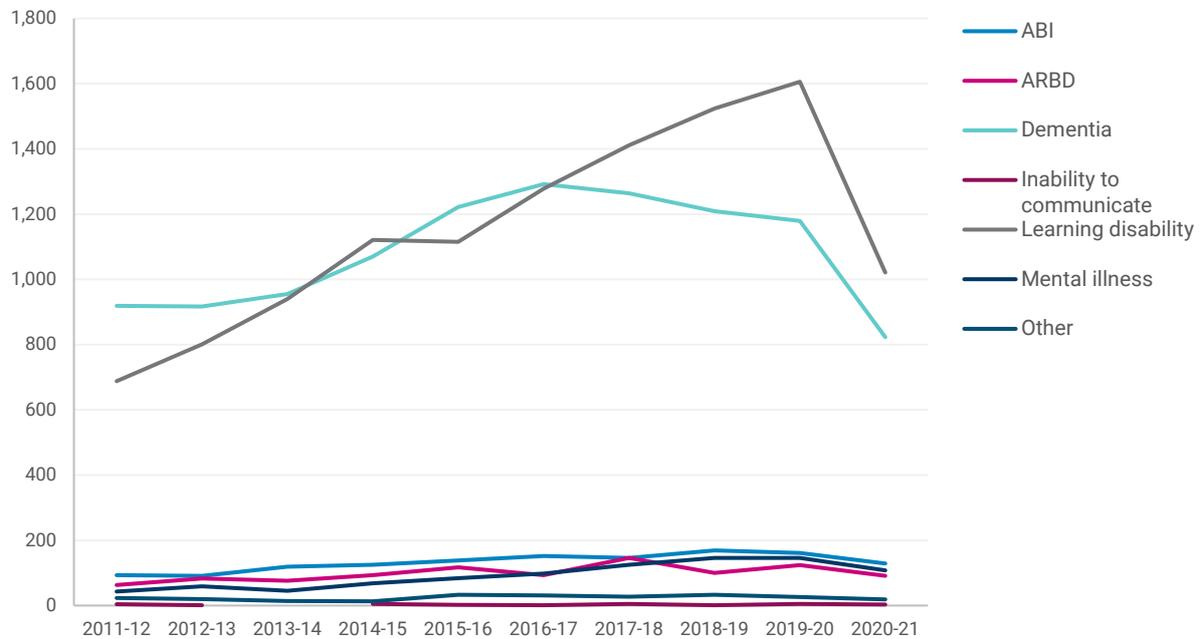
Figure 4. Age of individual by guardianship order status



Primary diagnosis

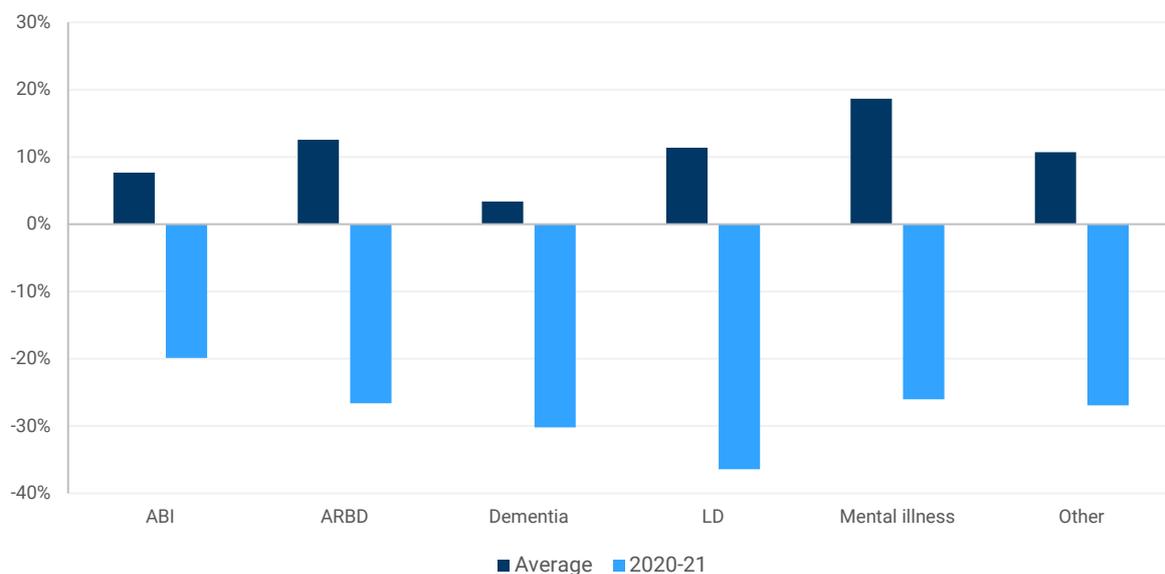
While the number of granted orders was lower than previous years for all diagnoses, Figure 5 shows that the most notable change was for orders granted for dementia and learning disability.

Figure 5. Number of granted guardianship orders by diagnosis and year



We were interested to find out more about these changes and therefore looked at the relative decrease in the number of guardianship orders that were granted for each diagnosis, as compared to the average year-on-year change. Figure 6 shows that in previous years we have seen, on average, an increase in the number of orders granted each year. In 2020-21, compared to 2019-20, there was a decrease in number of granted orders across all orders with the largest impact on learning disability (-36%) and dementia (-30%).

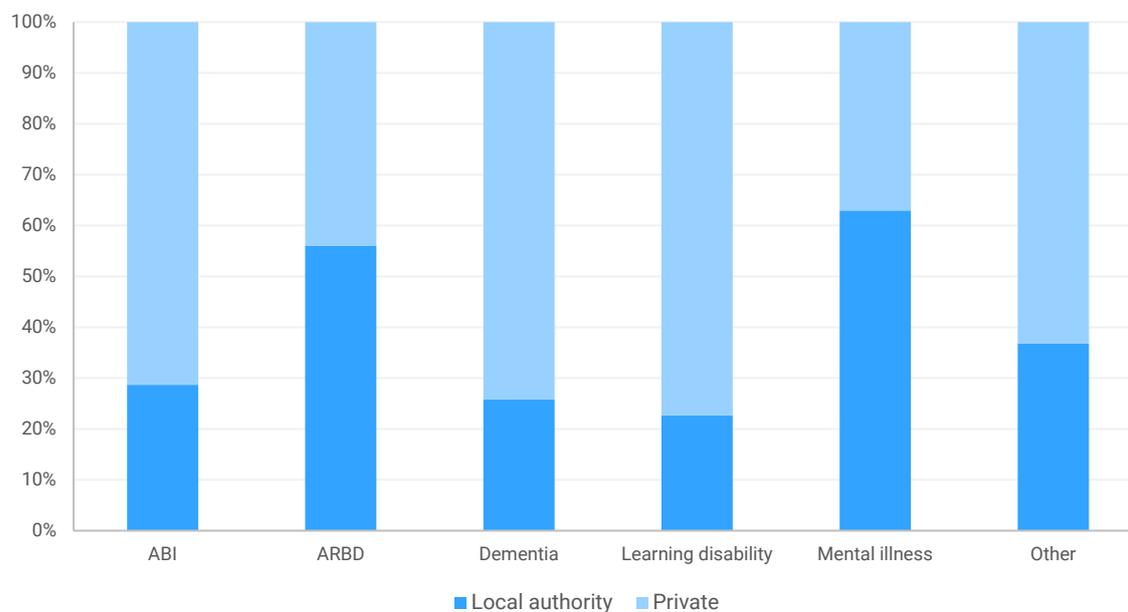
Figure 6. Relative change in number of granted orders by diagnosis



Guardian type

The type of guardian varies by diagnosis (Figure 7); most individuals with a diagnosis of dementia or learning disability were subject to a private guardianship order, compared to mental illness and ARBD, where a higher percentage of guardians are local authority.

Figure 7. Proportion of private and local authority guardianship orders by diagnosis 2020-21



We looked at the relative change for granted guardianship orders compared to previous years for both guardian types and did not find any differences between private and local authority guardianships. In other words, the declines we saw within each diagnostic category were the same regardless of whether the guardian was private or local authority.

Guardianship renewals

The majority (91%) of guardianship orders granted 2020-21 were new orders while 9% were renewals of existing guardianships. Here the 'stop the clock' provision of the Coronavirus (Scotland) Act 2020 becomes apparent in relation to the renewal of orders.

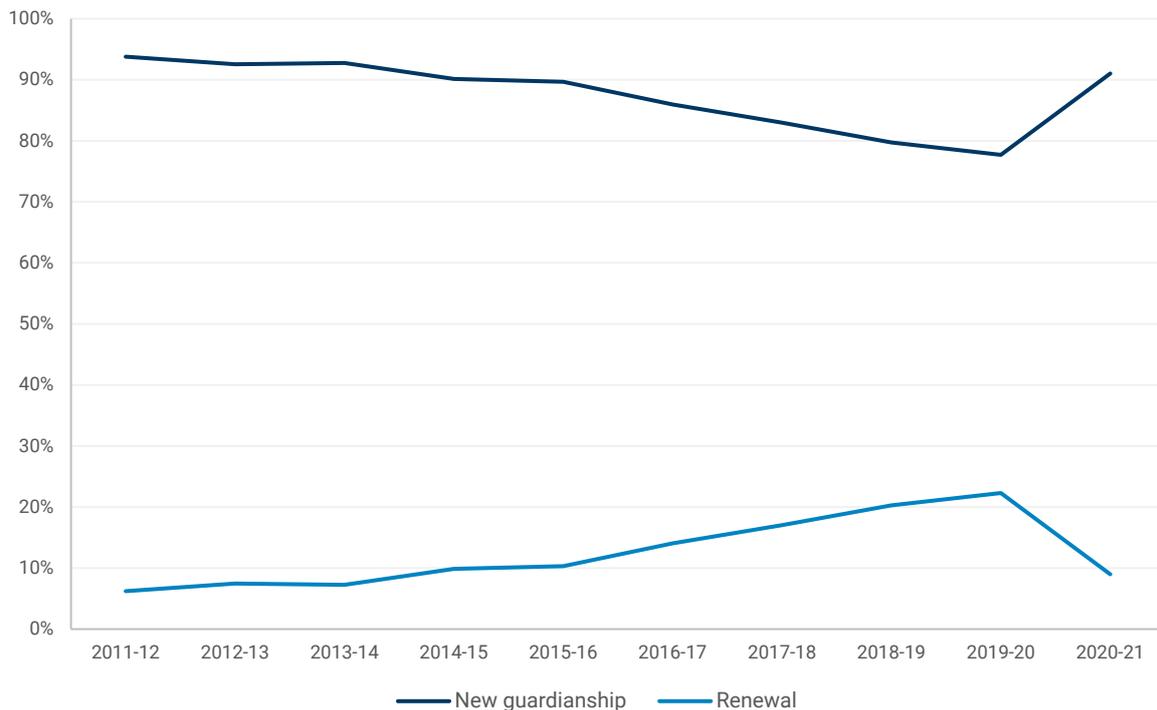
The guardianship 'stop the clock' provisions came into force on 7 April 2020. At that point the courts were only hearing urgent interim guardianship cases, the Office of the Public Guardian had a minimal amount of staff available and there were less doctors, mental health officers and solicitors available to complete the documentation required for guardianship (and renewal of guardianship) applications. Therefore to avoid guardianship applications that would have been renewed during this period from expiring before a renewal application could be lodged at court, and leaving the adult without appropriate protection, the provisions were brought in. This therefore is the reason behind the deviation from the trends of previous years.

The decreased proportion of renewed orders is evident across all age groups, with the greatest relative difference in the oldest age group (Table A4). The change in proportion of renewals seems to also be a factor of gender, with a higher relative decrease in renewals among males

in the age groups 16-24 years and 25-44 years, while for the two oldest age groups the relative difference was greatest for females.

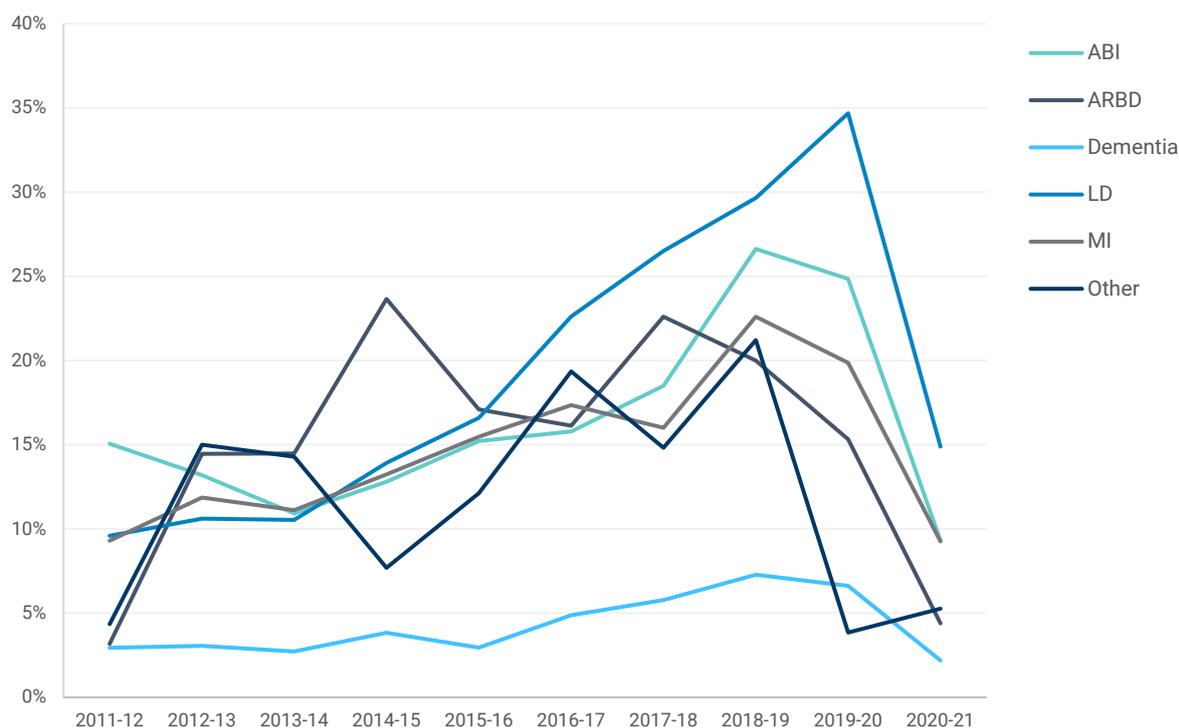
Prior to this year, a greater proportion of all the annual number of granted guardianship orders had been renewals of existing powers (Figure 8), which appeared to be explained by a decline in granted orders of indefinite length. The Commission was and remains content with this trend since it supports people’s rights under UNCRPD by having their need for proxies judicially reviewed. This trend is expected to continue once more with the suspension of the ‘stop the clock’ provision and efforts made to now deal with guardianship applications as business as usual.

Figure 8. Proportion of new and renewed orders, by year



There have also been declines in the proportion of renewals across different diagnoses; Figure 9 shows that for ABI, mental illness, ARBD, and dementia there was a downward trend already before 2020-21. The decreases in renewals among people with these diagnoses, then fell sharply in the last reporting year. For learning disability, on the other hand, there was a sharp decrease in 2020-21 which broke the previous continued upward trend.

Figure 9. Proportion of orders granted as renewals by diagnosis and year



Indefinite orders

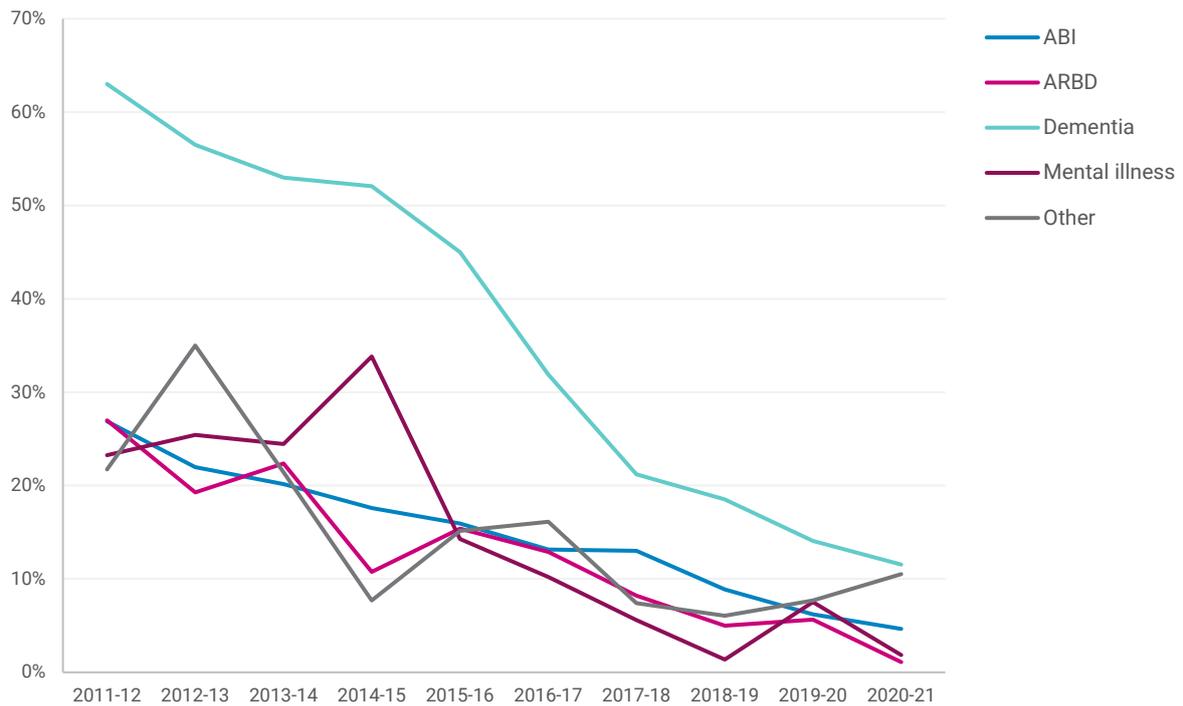
Over recent years, there has been significant progress in addressing the issue of the length of time for which guardianship orders are granted. Our concern is that the lack of automatic, periodic judicial scrutiny of approved orders puts the onus on the individual or another party with an interest to challenge the order if circumstances in relation to capacity change.

The Commission believes that an indefinite order may be appropriate in the case of, for example, an elderly person with advanced dementia. In other circumstances, we do not believe that indefinite orders are good practice or consistent with the principles of the AWI Act. Indefinite orders potentially breach Article 5 of the European Convention on Human Rights (ECHR)[10], where indefinite guardianship orders are used to authorise deprivation of liberty. European case law makes clear that there is a need for regular review of any restriction of liberty [11].

Overall, the proportion of indefinite guardianship orders has declined, from 45% in 2011-12 to 5% in 2020-21. There has been a decline in indefinite guardianship orders across all age groups over time, but most starkly in the age group over 65 years (Table A5). This can be explained by a decline in proportion of indefinite guardianship orders within the age group over 65 years with dementia, from 64% in 2011-12 to 12% in 2020-21 (data not shown).

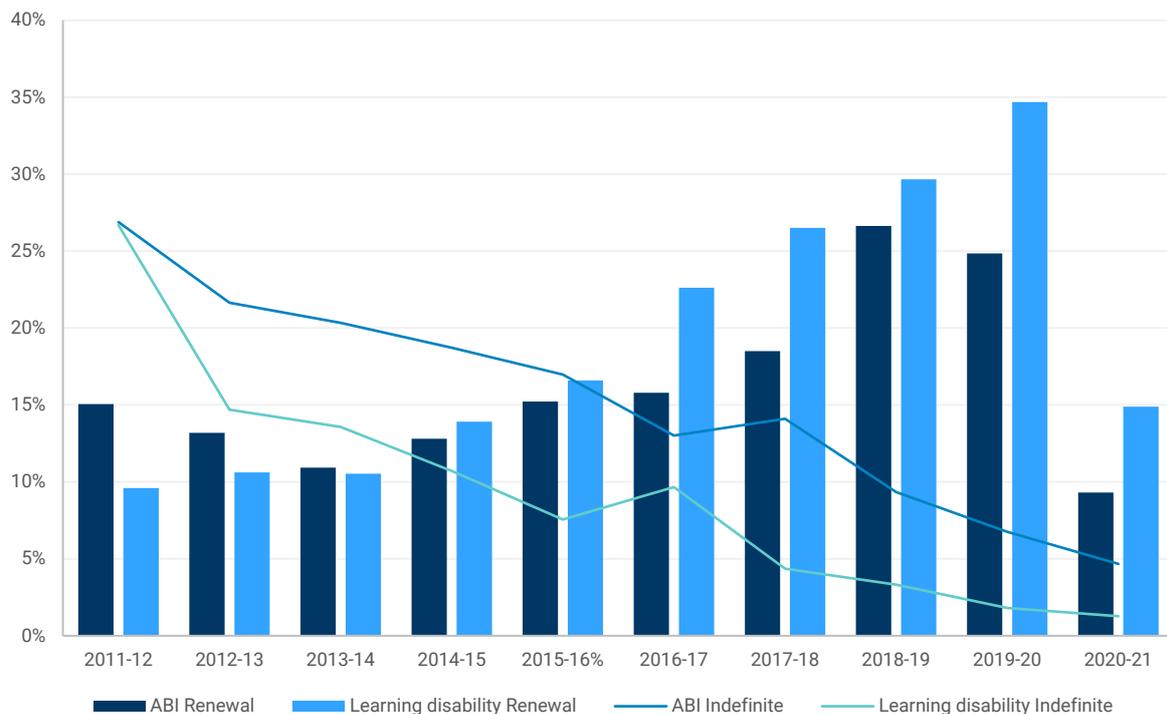
The proportion of indefinite guardianship orders for all diagnoses continued to decline for all diagnoses apart from 'Other' where 11% of all granted guardianships were indefinite compared to 8% in 2019-20 (Figure 10). The number of granted guardianships for 'Other' diagnoses is however low; 19 in 2020-21 and 26 in the previous year so the absolute number of indefinite guardianships is very low.

Figure 10. Proportion orders granted indefinitely, by diagnosis and year



As we reported last year [12], we have seen a cross-over of increases in renewals and decreases in indefinite guardianship orders specifically for people with a diagnosis of ABI and learning disability. This year we see the trend in indefinite guardianship orders has continued, but as mentioned above the proportion of renewals among all granted orders deviates from the trend in previous years (Figure 11).

Figure 11. Proportion of guardianship orders for ABI and LD which were indefinite by year



Geographical variation in number of granted guardianships

The number of guardianship orders granted in 2020-21 for each of the local authorities in Scotland are presented in Table A6. Due to the significant impact of Covid-19 there were much fewer orders granted in 2020-21. In order to look at how these changes varied geographically, we looked at the relative change to the year before.

Figure 12 shows the average year-on-year change between 2011-12 and 2019-20, which was 8% for Scotland as a whole with variation between local authorities but on average the change each year was positive. In contrast, the difference to the previous reporting year was -32% for Scotland as a whole, again with variation across local authorities. The magnitude of the drop in granted orders varied from -7% in Argyll and Bute to -50% in Eilean Siar. This varied by age in the local authorities (Table A12).

The overall rate of granted guardianship orders was 48.2 per 100,000 in Scotland. This was the lowest rate we have seen since 2013-14. The rate varies between local authorities (Figure 13, Table A9), with the highest rate in Orkney (132.8, 95% CI: 80.7–184.8) and the lowest rate in Aberdeenshire (28.2, 95% CI: 22.0–36.5). It should be noted that CIs for local authorities with low numbers of granted guardianships are wide and these estimates should be interpreted with caution.

Figure 12. Average year-on-year change (2011-12 to 2018-19) in number of granted guardianships and change between 2019-20 and 2020-21 by local authority

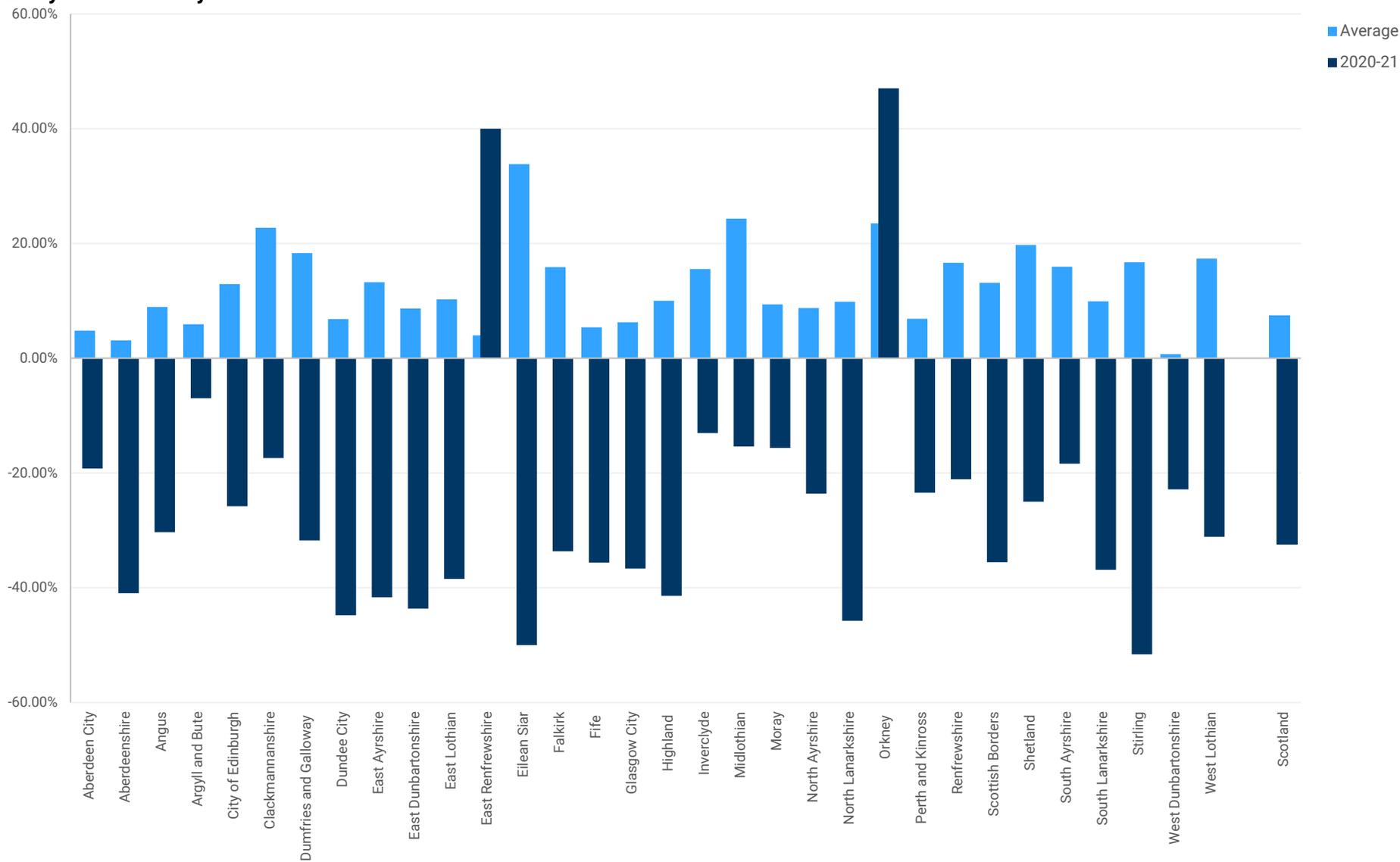
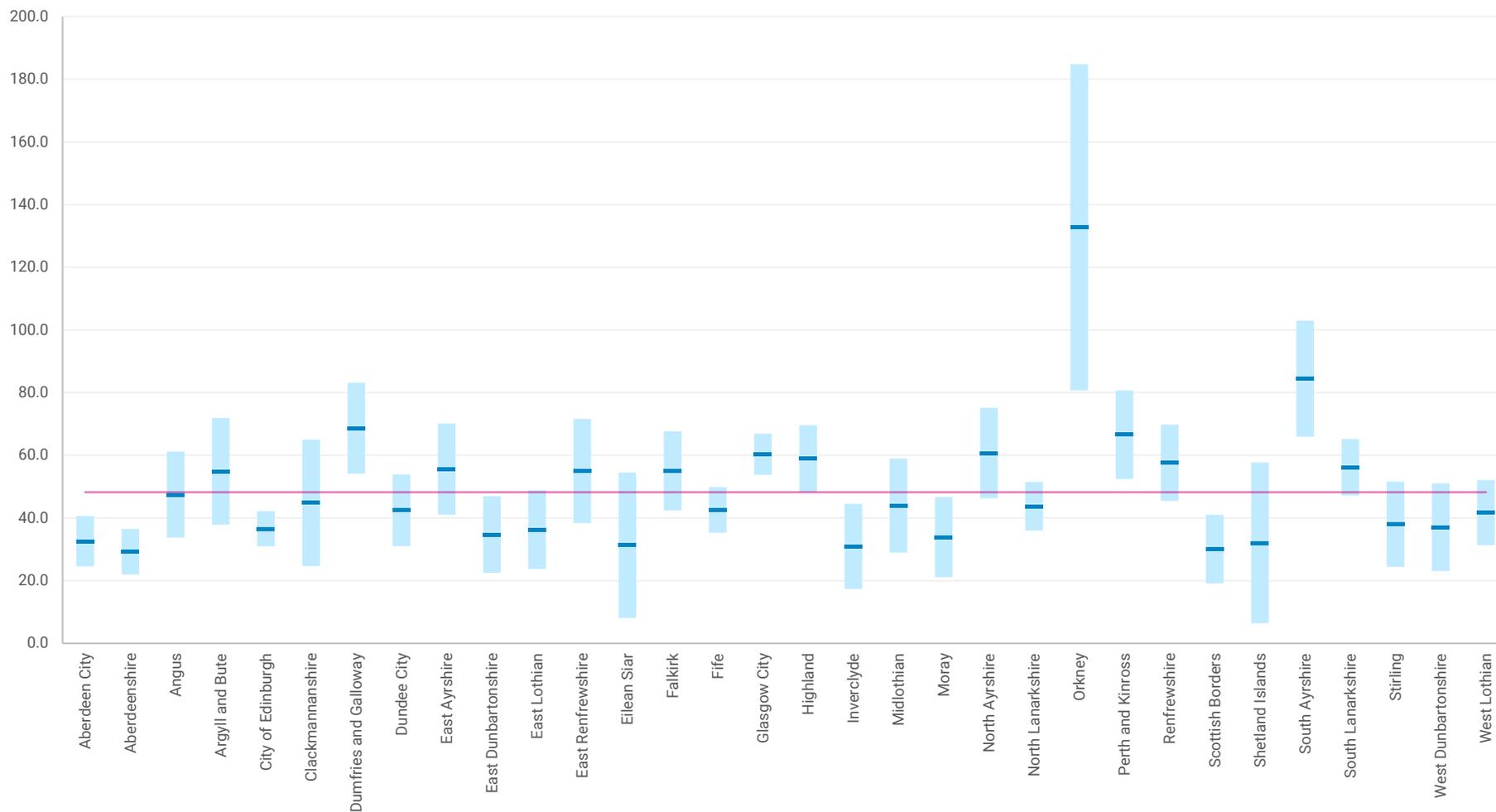


Figure 13. Rate of new and renewed granted guardianship orders in 2020-21 per 100 000 population (≥ 16 years) with 95% confidence intervals by local authority

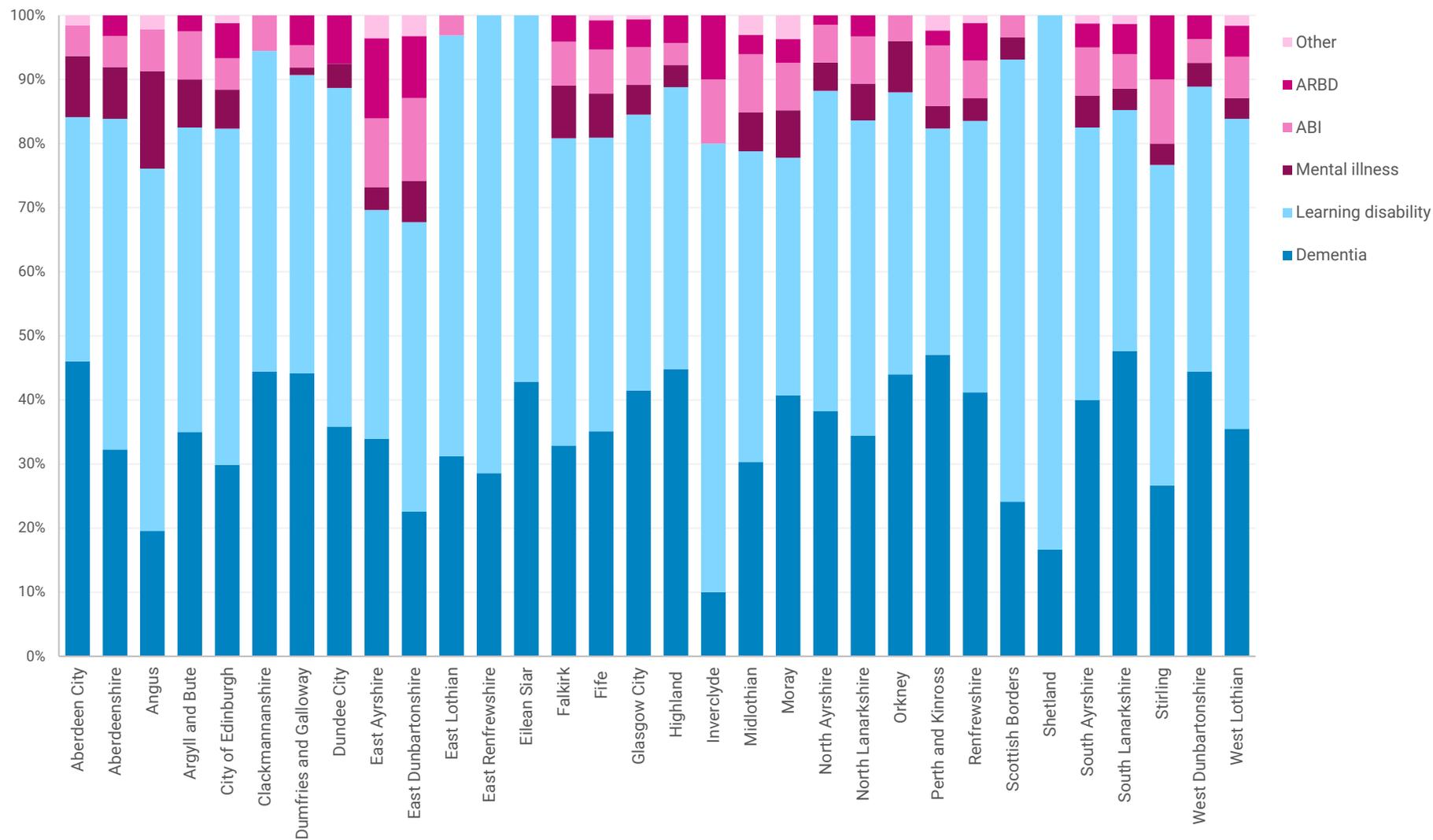


*The total number of granted guardianships is <20 and the RSE is therefore high. Comparisons of rates for local authorities with small numbers therefore need to be made with caution (see section 'Our data' for further description)

The proportion of renewed guardianship orders ranged from 79% in the Borders to 100% in Eilean Siar, Moray, and Shetland (Table A10). The proportion of guardianship orders that were under the auspices of the local authority ranged from 10% in Glasgow City to 57% in Angus. All guardianship orders granted in Eilean Siar were private (Table A2).

The proportion of granted guardianships for different diagnoses varies geographically. Figure 14 shows the distribution of diagnoses within each local authority, which shows that there are differences in the profile of those who were granted a guardianship order in different local areas. The relative difference to last year varied by diagnosis within local authorities; this is displayed in Table A12.

Figure 14. Diagnosis of individuals granted a guardianship order in 2020-21 by local authority



Medical treatment

The Coronavirus (Scotland) Act 2020 included similar ‘stop the clock’ provisions relating to section 47 certificates for medical treatment meaning that whilst the provision was in force the section 47 certificate was effective, but the time to expiry was paused. This dealt with the issue of possible expiry of certificates before a doctor could recertify.

In 2021 we updated our good practice guidance on medical treatment under Part 5 of the AWI Act and completion of section 47 certificates [13]. We also subsequently published an advice note on the use of section 47 [14].

The advice note followed findings in our report, *Authority to discharge: Report into decision making for people in hospital who lack capacity*, that some people had been discharged from hospital with professionals wrongly thinking that a section 47 certificate provided legal authority for this [2]. The Commission also subsequently received a number of enquiries in relation to the use of section 47 of the Act hence the brief advice note was issued to clarify the scope and limitations of this part of the legislation.

The Commission has a responsibility under the AWI Act to provide independent medical opinions for treatments that are not covered by the general authority to treat (section 47)[15]. These specific treatments are regulated under section 48 (for example electro-convulsive treatment (ECT)).

In addition, where there is a welfare proxy with the power to consent to medical treatment, and there is disagreement in the treatment between the decision maker and the treating doctor, the doctor can request that the Commission nominate and arrange an independent medical opinion by an appropriate specialist to resolve the dispute. These provisions are in section 50 [16].

As is shown in Table 2, in 2020-21, there were 38 requests for a section 48 visit, for which 35 visits took place and 34 section 48 certificates were issued. The majority of requests were for electro-convulsive therapy (ECT) (76%), with the remaining for medication to reduce sex drive.

In 2020-21, as in 2019-20, there was only one request for a second opinion doctor visit under section 50. This request was withdrawn before the visit was carried out following further input from a local specialist and their advice to the doctor and the welfare proxy.

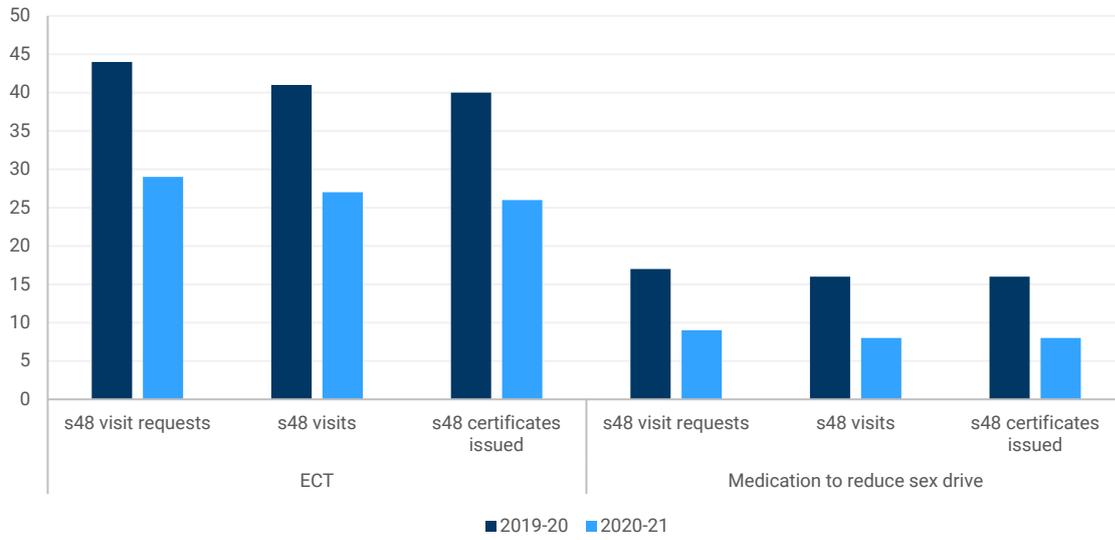
Table 2. Number of section 48 requests, visits and certificates issued in 2020-21

Treatment	Requests	Visits ^a	Certificates
Medication to reduce sex drive	9	8	8
ECT	29	27	26
Total	38	35	34

^a Where a section 48 visit does not do ahead after a request, this may be for one of a number of reasons e.g. the person’s circumstances change and the proposed treatment becomes no longer necessary, or they require treatment under the Mental Health Act.

There was a significant drop in section 48 requests (38% decrease), visits (39% decrease) and certificates granted (39% decrease) in 2020-21 compared to 2019-20 (Figure 15). A factor may well have been the reduced capacity of ECT suites during the pandemic, although there was actually a greater drop in requests for authorisation for medication to reduce sex drive compared to authorisation for ECT (decreases of 47% and 34% respectively).

Figure 15. Number of section 48 requests, visits and certificates issued in 2019-20 and 2020-21



Concluding remarks

This report relates to critically important times in people's lives when they were unable to make some or all welfare decisions themselves and required intervention under the AWI Act to protect and promote their rights.

Our data confirms that there were 30% fewer granted guardianship applications last year. On 31 March 2021 there were 16,033 individuals subject to a guardianship order in Scotland. This was an increase in only 60 people (0.38%) compared to the previous year.

The past year has been a hugely challenging one given the impact of Covid-19 on everyone's lives.

The Coronavirus (Scotland) Act 2020 introduced 'stop the clock provisions' to delay the expiry of section 47 certificates and guardianship orders for those people already known to services and protected by AWI legislation. Renewal rates for guardianship orders significantly reduced, as expected, as a result. Our *Authority to discharge* report however highlighted that some people who should have been protected by the AWI Act during the early stages of the pandemic were not. Our report also identified the need to support staff to understand the complexities of the law in protecting those who lack capacity to make some or all decisions for themselves [2].

As well as showing that fewer individuals than expected were granted an order this year, our monitoring report also shows that the impact has been somewhat different depending on primary diagnosis as well as geographical location.

With Coronavirus legislation suspended, with services remobilising and with a return to as close to 'business as usual' as possible, there is a need for closer monitoring to ensure that the trend deviations caused by the pandemic recover. It was always the case in 2020-21, like all other years, that those who needed the protection of the AWI Act should have had it; the implemented parts of the Coronavirus legislation did not change this. Those who lack capacity because of mental illness, learning disability, dementia and related conditions are some of the most vulnerable adults in our community and have a right to be protected by the law.

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Appendix A - Glossary

ABI	Acquired Brain Injury
ARBD	Alcohol-related brain damage
ASPA	Adult Support and Protection (Scotland) Act
AWI Act	Adults with Incapacity (Scotland) Act 2000
CI	Confidence interval
CSWO	Chief Social Work Officer
ECT	Electro-convulsive therapy
ECHR	European Convention of Human Rights
Inability to communicate	Inability to communicate due to physical impairment (e.g. Huntington's Disease)
Mental Health Act	Mental Health (Care and Treatment)(Scotland) Act 2003
MHO	Mental health officer
RSE	Relative Standard Error
Section 47	Certificate issued by a doctor where the adult cannot consent to the treatment being given
Section 48	Exceptions to authority to treat
Section 50	Medical treatment where guardian etc. has been appointed
POA	Power of Attorney
UNCRPD	UN Convention of the Rights of People with Disability

Appendix B – Data tables

Table A1. Extant guardianships in Scotland as of 31 March 2021

Category	Grouping	n (%)
Guardian	LA	3,580 (22%)
	Private	12,452 (78%)
Local Authority	Aberdeen City	597 (4%)
	Aberdeenshire	665 (4%)
	Angus	316 (2%)
	Argyll and Bute	199 (1%)
	City of Edinburgh	927 (6%)
	Clackmannanshire	170 (1%)
	Dumfries and Galloway	538 (3%)
	Dundee City	636 (4%)
	East Ayrshire	392 (2%)
	East Dunbartonshire	241 (2%)
	East Lothian	188 (1%)
	East Renfrewshire	212 (1%)
	Eilean Siar	88 (1%)
	Falkirk	467 (3%)
	Fife	1,225 (8%)
	Glasgow City	2,485 (15%)
	Highland	959 (6%)
	Inverclyde	94 (1%)
	Midlothian	194 (1%)
	Moray	269 (2%)
	North Ayrshire	414 (3%)
	North Lanarkshire	867 (5%)
	Orkney	71 (0%)
	Perth and Kinross	605 (4%)
	Renfrewshire	610 (4%)
	Scottish Borders	234 (1%)
	Shetland	37 (0%)
	South Ayrshire	384 (2%)
	South Lanarkshire	1050 (7%)
	Stirling	275 (2%)
West Dunbartonshire	259 (2%)	
West Lothian	361 (2%)	
Missing	4 (0%)	
Age (years)	16–24	2,559 (16%)
	25–44	3,467 (22%)
	45–64	3,025 (19%)
	65–84	6,982 (44%)
	85+	2,559 (16%)
Gender	Male	8,061 (50.3%)
	Female	7,973 (49.7%)
Length	0–3 years	1,971 (12.3%)
	4–5 years	5,725 (35.7%)
	>5 years	3,465 (21.6%)
	Indefinite	4,873 (30.4%)
Diagnosis	ABI	764 (5%)
	ARBD	511 (3%)
	Dementia	5,654 (35%)
	Inability to communicate	18 (0%)
	Learning disability	8,343 (52%)
	Mental illness	571 (4%)
	Other	169 (1%)
	Unknown ^a	3 (0%)
Total		16,033

^ano information about diagnosis available in the record

Table A2. Number of Local Authority (LA) and private (P) guardianships, by local authority and year

	2011-12		2012-13		2013-14		2014-15		2015-16		2016-17		2017-18		2018-19		2019-20		2020-21	
	LA	P	LA	P	LA	P	LA	P	LA	P	LA	P	LA	P	LA	P	LA	P	LA	P
Aberdeen City	13	49	17	41	15	63	25	36	26	52	29	56	17	61	30	64	24	54	25	38
Aberdeenshire	25	65	14	51	9	63	24	56	22	59	20	78	23	86	29	67	29	76	26	36
Angus	11	28	12	17	7	24	15	29	13	35	26	29	26	45	26	32	25	41	26	20
Argyll and Bute	7	22	5	21	9	17	7	26	16	26	8	29	9	30	*	*	17	26	10	30
City of Edinburgh	23	68	19	81	27	88	22	83	49	95	58	129	45	120	70	134	81	140	55	109
Clackmannanshire	*	*	*	*	*	*	*	14	5	28	5	31	6	24	6	22	6	17	*	*
Dumfries and Galloway	19	24	19	29	13	33	19	41	47	72	32	85	27	87	45	102	29	97	26	60
Dundee City	27	44	35	62	39	57	29	66	21	49	32	75	25	58	29	69	39	57	16	37
East Ayrshire	18	24	23	28	22	27	28	53	23	78	24	64	35	63	25	59	36	60	22	34
East Dunbartonshire	*	*	*	*	*	*	5	37	*	*	6	30	5	45	8	36	8	47	*	*
East Lothian	15	23	23	39	10	22	19	19	17	30	8	26	11	40	16	32	16	36	5	27
East Renfrewshire	11	21	5	19	*	*	6	29	7	30	*	*	7	38	5	30	*	*	6	36
Eilean Siar	*	*		10	*	*	0	5	5	11	5	24	*	*	*	*	0	14	0	7
Falkirk	17	22	15	23	22	32	33	48	27	65	25	54	32	67	24	67	31	79	28	45
Fife	46	98	57	88	55	106	48	134	70	145	59	146	102	161	62	165	54	151	41	91
Glasgow City	50	276	61	329	45	307	44	336	54	324	43	324	55	388	55	394	62	448	32	291
Highland	37	64	48	45	32	79	46	82	46	101	88	115	66	99	66	121	67	131	43	73
Inverclyde	*	*	*	*	*	*	7	14	9	11	12	26	8	23	9	21	9	14	8	12
Midlothian	*	*	6	14	5	13	*	*	12	20	10	23	15	38	17	37	14	25	12	21
Moray	*	*	*	*	*	*	8	25	11	33	12	43	12	26	6	38	10	22	*	*
North Ayrshire	9	43	7	41	14	48	19	64	8	58	18	69	11	69	28	61	28	61	16	52
North Lanarkshire	27	85	29	111	25	140	34	141	41	147	30	153	60	177	57	192	50	175	31	91
Orkney	0	7	*	*	*	*	*	*	5	13	*	*	*	*	*	*	6	11	8	17
Perth and Kinross	14	58	19	44	12	61	17	52	16	48	27	50	39	61	25	63	36	75	36	49
Renfrewshire	8	31	11	49	21	69	23	89	36	105	25	90	25	85	20	109	26	83	27	59
Scottish Borders	9	14	5	13	8	23	10	36	12	28	13	29	10	48	15	37	13	32	9	20
Shetland	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
South Ayrshire	12	28	9	23	9	48	17	67	22	76	16	74	27	90	25	90	19	79	18	62
South Lanarkshire	28	97	38	113	34	117	35	179	38	136	46	181	54	156	36	171	47	189	34	115
Stirling	*	*	6	21	13	38	8	26	6	28	11	52	18	31	16	42	23	39	9	21
West Dunbartonshire	7	32	9	32	8	30	8	43	11	46	9	37	8	24	5	34	9	26	7	20
West Lothian	11	32	10	31	11	58	12	53	7	34	18	63	16	59	15	47	20	70	17	45
Scotland	464	1369	518	1,454	484	1,665	579	1,916	686	2,025	723	2,222	801	2,323	781	2,401	840	2,407	606	1,588

* n<5 or secondary suppression

Table A3. Granted guardianships 2019-20 by guardianship status, n (%)

Characteristic	Total (n=2,194)	New guardianship (n=1,997)	Renewal (n=197)
Age			
16–24 years	467 (21%)	411 (21%)	56 (28%)
25–44 years	336 (15%)	275 (14%)	61 (31%)
45–64 years	410 (19%)	357 (18%)	53 (27%)
>65 years	981 (45%)	954 (48%)	27 (14%)
Gender			
Female	1,115 (51%)	1,033 (52%)	82 (42%)
Male	1,079 (49%)	964 (48%)	115 (58%)
Primary diagnosis			
ABI	129 (6%)	117 (6%)	12 (6%)
ARBD	91 (4%)	87 (4%)	*
Dementia	823 (38%)	805 (40%)	18 (9%)
Inability to communicate	3 (0%)	3 (0%)	(0%)
Learning disability	1,021 (47%)	869 (44%)	152 (77%)
Mental illness	108 (5%)	98 (5%)	10 (5%)
Other	19 (1%)	18 (1%)	*
Length of guardianship			
0–3 years	660 (30%)	638 (32%)	22 (11%)
4–5 years	1,034 (47%)	941 (47%)	93 (47%)
≥6 years	380 (17%)	304 (15%)	76 (39%)
Indefinite	120 (5%)	114 (6%)	6 (3%)
Guardian status			
Local authority	599 (27%)	555 (28%)	44 (22%)
Private	1,595 (73%)	1,442 (72%)	153 (78%)

* n<5 or secondary suppression

Table A4. Proportion of renewed orders by age, gender and year

	16-24 years		25-44 years		45-64 years		65+ years	
	Female	Male	Female	Male	Female	Male	Female	Male
2011-12	6%	4%	15%	17%	11%	10%	3%	4%
2012-13	10%	8%	21%	12%	13%	11%	3%	3%
2013-14	10%	8%	16%	13%	12%	10%	3%	3%
2014-15	14%	11%	18%	19%	14%	16%	4%	5%
2015-16	14%	15%	17%	20%	17%	17%	4%	5%
2016-17	23%	19%	32%	25%	17%	20%	6%	5%
2017-18	19%	25%	38%	31%	20%	25%	6%	6%
2018-19	25%	26%	36%	37%	29%	26%	9%	9%
2019-20	33%	29%	34%	44%	33%	30%	8%	8%
2020-21	14%	11%	17%	19%	11%	14%	2%	4%

Table A5. Granted guardianships 2020-21 by guardian status, n (%)

Characteristic	Total	Local authority	Private
Age			
16–24	467 (21%)	51 (8%)	416 (26%)
25–44	336 (15%)	96 (16%)	240 (15%)
45–64	410 (19%)	168 (28%)	242 (15%)
>65	981 (45%)	291 (48%)	690 (43%)
Gender			
Female	1,115 (51%)	297 (49%)	818 (52%)
Male	1,079 (49%)	309 (51%)	770 (48%)
Primary diagnosis			
ABI	129 (6%)	37 (6%)	92 (6%)
ARBD	91 (4%)	51 (8%)	40 (3%)
Dementia	823 (38%)	212 (35%)	611 (38%)
Inability to communicate	*	*	*
Learning disability	1,021 (47%)	231 (38%)	790 (50%)
Mental illness	108 (5%)	68 (11%)	40 (3%)
Other	19 (1%)	7 (1%)	12 (1%)
Length of guardianship			
0–3 years	660 (30%)	326 (54%)	334 (21%)
4–5 years	1,034 (47%)	217 (36%)	817 (51%)
≥6 years	380 (17%)	29 (5%)	351 (22%)
Indefinite	120 (5%)	34 (6%)	86 (5%)
Guardianship status			
New	1,997 (91%)	559 (92%)	1,438 (91%)
Renewal	197 (9%)	47 (8%)	150 (9%)

* n<5 or secondary suppression

Table A6. Granted guardianships 2019-20 by diagnosis, n (%)

Characteristic	Total (n=2,194)	ABI (n=129)	ARBD (n=91)	Dementia (n=823)	Learning disability (n=1,021)	Mental illness (n=108)	Other (n=19)
Age							
16–24	467 (21%)	7 (5%)	*	*	453 (44%)	5 (5%)	*
25–44	336 (15%)	15 (12%)	*	*	300 (29%)	18 (17%)	*
45–64	408 (19%)	55 (43%)	43 (47%)	55 (7%)	207 (20%)	44 (41%)	*
>65	980 (45%)	52 (40%)	47 (52%)	766 (93%)	61 (6%)	41 (38%)	13 (68%)
Gender							
Male	1113 (51%)	60 (47%)	33 (36%)	531 (65%)	422 (41%)	50 (46%)	17 (89%)
Female	1078 (49%)	69 (53%)	58 (64%)	292 (35%)	599 (59%)	58 (54%)	*
Length of guardianship							
0–3	659 (30%)	42 (33%)	45 (49%)	222 (27%)	284 (28%)	57 (53%)	9 (47%)
4–5	1,033 (47%)	62 (48%)	40 (44%)	387 (47%)	498 (49%)	42 (39%)	4 (21%)
>5	379 (17%)	19 (15%)	*	119 (14%)	225 (22%)	7 (6%)	4 (21%)
Indefinite	120 (5%)	6 (5%)	*	95 (12%)	14 (1%)	2 (2%)	2 (11%)
Guardianship status							
New	1,994 (91%)	117 (91%)	87 (96%)	805 (98%)	869 (85%)	98 (91%)	18 (95%)
Renewal	197 (9%)	12 (9%)	*	18 (2%)	152 (15%)	10 (9%)	*
Guardian							
Private	1,585 (72%)	92 (71%)	40 (44%)	611 (74%)	790 (77%)	40 (37%)	12 (63%)
Local Authority	606 (28%)	37 (29%)	51 (56%)	212 (26%)	231 (23%)	68 (63%)	7 (37%)

* n<5 or secondary suppression; inability to communicate excluded from this table due to small n

Table A7. Length of guardianships (years) by age group

Year	16-24 years				25-44 years				45-64 years				65+ years			
	0-3	4-5	>5	Indef	0-3	4-5	>5	Indef	0-3	4-5	>5	Indef	0-3	4-5	>5	Indef
2011-12	26%	38%	15%	21%	25%	32%	12%	32%	36%	28%	11%	25%	16%	16%	6%	62%
2012-13	29%	42%	18%	10%	22%	48%	16%	14%	30%	33%	17%	20%	17%	17%	10%	56%
2013-14	27%	45%	17%	12%	23%	39%	25%	13%	29%	39%	17%	16%	17%	19%	11%	53%
2014-15	27%	49%	17%	7%	28%	43%	19%	10%	32%	37%	17%	15%	18%	20%	12%	51%
2015-16	30%	47%	18%	6%	35%	39%	20%	6%	31%	43%	16%	10%	20%	24%	13%	43%
2016-17	24%	52%	15%	9%	21%	52%	19%	8%	32%	41%	17%	10%	19%	29%	21%	31%
2017-18	25%	49%	23%	3%	24%	47%	26%	4%	33%	44%	17%	6%	21%	38%	20%	21%
2018-19	25%	54%	19%	2%	25%	49%	23%	3%	33%	48%	15%	4%	23%	42%	17%	18%
2019-20	26%	50%	22%	1%	28%	47%	24%	1%	28%	46%	22%	4%	25%	45%	16%	13%
2020-21	33%	49%	18%	1%	25%	44%	29%	2%	34%	49%	15%	2%	29%	46%	14%	10%

Indef: Indefinite order

Table A8. Number of guardianships granted, by local authority and year

Local authority	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Aberdeen City	62	58	78	61	78	85	78	94	78	63
Aberdeenshire	90	65	72	80	81	98	109	96	105	62
Angus	39	29	31	44	48	55	71	58	66	46
Argyll and Bute	29	26	26	33	42	37	39	41	43	40
City of Edinburgh	91	100	115	105	144	187	165	204	221	164
Clackmannanshire	11	20	9	20	33	36	30	28	23	19
Dumfries and Galloway	43	48	46	60	119	117	114	147	126	86
Dundee City	71	97	96	95	70	107	83	98	96	53
East Ayrshire	42	51	49	81	101	88	98	84	96	56
East Dunbartonshire	31	33	36	42	40	36	50	44	55	31
East Lothian	38	62	32	38	47	34	51	48	52	32
East Renfrewshire	32	24	21	35	37	29	45	35	30	42
Eilean Siar	8	10	*	5	16	29	16	19	14	7
Falkirk	39	38	54	81	92	79	99	91	110	73
Fife	144	145	161	182	215	205	263	227	205	132
Glasgow City	326	390	352	380	378	367	443	449	510	323
Highland	101	93	111	128	147	203	165	187	198	116
Inverclyde	11	12	21	21	20	38	31	30	23	20
Midlothian	10	20	18	25	32	33	53	54	39	33
Moray	31	21	15	33	44	55	38	44	32	27
North Ayrshire	52	48	62	83	66	87	80	89	89	68
North Lanarkshire	112	140	165	175	188	183	237	249	225	122
Orkney	7	9	13	9	18	8	8	9	17	25
Perth and Kinross	72	63	73	69	64	77	100	88	111	85
Renfrewshire	39	60	90	112	141	115	110	129	109	86
Scottish Borders	23	18	31	46	40	42	58	52	45	29
Shetland	*	0	*	*	6	8	7	7	8	6
South Ayrshire	40	32	57	84	98	90	117	115	98	80
South Lanarkshire	125	151	151	214	174	227	210	207	236	149
Stirling	30	27	51	34	34	63	49	58	62	30
West Dunbartonshire	39	41	38	51	57	46	32	39	35	27
West Lothian	43	41	69	65	41	81	75	62	90	62
Scotland	1,833	1,972	2,149	2,495	2,711	2,945	3,124	3,182	3,247	2,194

Table A9. Rate of granted guardianships with mid-year population estimates (≥16 years) by local authority

Local authority	Rate	Orders	Population
Aberdeen City	32.6	63	193,271
Aberdeenshire	29.2	62	212,106
Angus	47.5	46	96,912
Argyll and Bute	54.9	40	72,853
City of Edinburgh	36.6	164	448,470
Clackmannanshire	44.8	19	42,393
Dumfries and Galloway	68.7	86	125,240
Dundee City	42.4	53	124,862
East Ayrshire	55.6	56	100,731
East Dunbartonshire	34.7	31	89,250
East Lothian	36.3	32	88,199
East Renfrewshire	55.0	42	76,414
Eilean Siar	31.3	7	22,365
Falkirk	55.0	73	132,674
Fife	42.6	132	309,978
Glasgow City	60.4	323	535,162
Highland	58.9	116	196,940
Inverclyde	30.9	20	64,647
Midlothian	44.0	33	75,061
Moray	33.9	27	79,673
North Ayrshire	60.7	68	111,970
North Lanarkshire	43.7	122	278,862
Orkney	132.8	25	18,829
Perth and Kinross	66.6	85	127,666
Renfrewshire	57.6	86	149,208
Scottish Borders	30.1	29	96,416
Shetland Islands	32.1	6	18,712
South Ayrshire	84.5	80	94,722
South Lanarkshire	56.2	149	265,270
Stirling	38.0	30	78,927
West Dunbartonshire	37.1	27	72,856
West Lothian	41.7	62	148,578
Scotland	48.2	2,194	4,549,217

Table A10. Number of new and renewed granted guardianships, by local authority and year

Local Authority	2011-12		2012-13		2013-14		2014-15		2015-16		2016-17		2017-18		2018-19		2019-20		2020-21	
	N	R	N	R	N	R	N	R	N	R	N	R	N	R	N	R	N	R	N	R
Aberdeen City	0	62	0	*	*	71	5	56	*	*	6	79	*	*	14	80	14	64	*	*
Aberdeenshire	8	82	9	56	*	*	8	72	10	71	21	77	19	90	15	81	17	88	6	56
Angus	*	*	*	*	0	31	*	*	6	42	13	42	5	66	15	43	20	46	*	*
Argyll and Bute	*	*	0	26	*	*	*	*	*	*	6	31	*	*	7	34	8	35	6	34
City of Edinburgh	8	83	7	93	10	105	11	94	13	131	17	170	20	145	32	172	44	177	17	147
Clackmannanshire		11	0	20	0	9	*	*	*	*	*	*	*	*	*	*	*	*	5	14
Dumfries and Galloway	8	35	5	43	5	41	16	44	16	103	17	100	27	87	54	93	31	95	7	79
Dundee City	*	*	0	97	*	*	*	*	*	*	7	100	13	70	6	92	13	83	6	47
East Ayrshire	5	37	13	38	6	43	14	67	14	87	19	69	22	76	19	65	30	66	6	50xf
East Dunbartonshire	*	*	*	*	*	*	*	*	*	*	*	*	16	34	11	33	8	47	*	*
East Lothian	*	*	*	*	*	*	*	*	11	36	8	26	15	36	11	37	14	38	*	*
East Renfrewshire	*	*	*	*	*	*	0	35	5	32	*	*	6	39	3	32	7	23	*	*
Eilean Siar	0	8	0	10	*	*	0	5	0	16	0	29	*	*	*	*	0	14	0	7
Falkirk	*	*	*	*	*	*	17	64	12	80	13	66	14	85	9	82	30	80	6	67
Fife	16	128	11	134	12	149	16	166	14	201	27	178	31	232	51	176	36	169	12	120
Glasgow City	6	320	17	373	8	344	18	362	36	342	54	313	77	366	94	355	108	402	24	299
Highland	10	91	5	88	9	102	10	118	14	133	27	176	28	137	33	154	45	153	8	108
Inverclyde	*	*	*	*	*	*	*	*	5	15	7	31	8	23	6	24	5	18	*	*
Midlothian	*	*	*	*	0	18	*	*	8	24	7	26	8	45	12	42	9	30	*	*
Moray	*	*	5	16	*	*	6	27	*	*	*	*	5	33	6	38	*	*	0	27
North Ayrshire	*	*	*	*	7	55	6	77	5	61	15	72	15	65	12	77	25	64	9	59
North Lanarkshire	5	107	22	118	20	145	35	140	32	156	32	151	59	178	72	177	74	151	7	115
Orkney	0	7	0	9	*	*	*	*	6	12	*	*	*	*	*	*	*	*	*	*
Perth and Kinross	*	*	9	54	9	64	*	*	*	*	11	66	15	85	10	78	19	92	6	79
Renfrewshire	*	*	*	*	*	*	6	106	6	135	18	97	22	88	25	104	24	85	11	75
Scottish Borders	5	18	*	*	*	*	6	40	5	35	5	37	7	51	9	43	8	37	6	23
Shetland	*	*	0	0	*	*	*	*	0	6	0	8	0	7	0	7	*	*	0	6
South Ayrshire	5	35	*	*	6	51	11	73	11	87	17	73	22	95	26	89	27	71	12	68
South Lanarkshire	10	115	12	139	11	140	22	192	17	157	25	202	40	170	47	160	54	182	11	138
Stirling	*	30	*	*	7	44	*	*	5	29	*	*	5	44	13	45	15	47	*	*
West Dunbartonshire	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
West Lothian	*	*	*	*	5	64	10	55	6	35	22	59	14	61	19	43	27	63	9	53
Scotland	114	1,719	147	1,825	156	1,993	246	2,249	280	2,431	414	2,531	532	2,592	645	2,537	724	2,523	197	1,997

* n<5 or secondary suppression; N: new guardianship; R: renewal

Table A11. Relative change to last year by age and local authority

Local authority	Age group			
	16-24	25-44	45-64	65+
Aberdeen City	-46%	60%	-58%	23%
Aberdeenshire	-42%	-23%	-61%	-32%
Angus	-47%	-15%	-15%	-35%
Argyll and Bute	-31%	29%	-17%	0%
City of Edinburgh	5%	-43%	-8%	-39%
Clackmannanshire	-60%	50%	-29%	-14%
Dumfries and Galloway	58%	-50%	-52%	-33%
Dundee City	6%	33%	-63%	-62%
East Ayrshire	-76%	-70%	5%	-31%
East Dunbartonshire	-47%	-56%	0%	-46%
East Lothian	-20%	100%	-73%	-64%
East Renfrewshire	0%	100%	43%	50%
Eilean Siar	-67%	0%	-33%	-57%
Falkirk	-11%	-54%	-53%	-27%
Fife	-43%	-34%	-13%	-40%
Glasgow City	-37%	-41%	-45%	-31%
Highland	-47%	-35%	-68%	-28%
Inverclyde	-20%	-50%	40%	-14%
Midlothian	-42%	-50%	13%	8%
Moray	-14%	100%	-43%	-27%
North Ayrshire	-22%	15%	-29%	-34%
North Lanarkshire	-23%	-57%	-40%	-54%
Orkney	50%	300%	-50%	57%
Perth and Kinross	-26%	-46%	0%	-23%
Renfrewshire	-29%	-48%	-24%	-2%
Scottish Borders	-63%	-9%	100%	-44%
Shetland		0%	0%	-75%
South Ayrshire	-26%	-53%	10%	-15%
South Lanarkshire	-56%	-41%	-53%	-16%
Stirling	-68%	-54%	-36%	-44%
West Dunbartonshire	-29%	0%	-25%	-25%
West Lothian	-32%	-84%	-18%	0%

Table A12. Relative change to 2019-20 by diagnosis and local authority

Local authority	Dementia	Learning disability	Mental illness	ABI	ARBD	Other
Aberdeen City	26%	-41%	50%	-50%	-100%	
Aberdeenshire	-33%	-43%	-17%	-63%	-50%	-100%
Angus	-55%	-26%	-13%	0%		
Argyll and Bute	8%	-21%	0%	0%		
City of Edinburgh	-41%	-12%	-29%	0%	-44%	0%
Clackmannanshire	167%	-31%	-100%	-67%	-100%	-100%
Dumfries and Galloway	-27%	-31%	-80%	-50%	0%	
Dundee City	-54%	-38%	-60%	-100%	33%	
East Ayrshire	-46%	-62%	-33%		40%	100%
East Dunbartonshire	-65%	-50%	0%	33%		0%
East Lothian	-57%	-5%	-100%	-67%	-100%	
East Renfrewshire	71%	50%	-100%	-100%		
Eilean Siar	-63%	-33%				
Falkirk	-45%	-33%	100%	-29%	50%	-100%
Fife	-42%	-39%	-18%	0%	0%	0%
Glasgow City	-31%	-44%	-6%	-32%	-33%	-60%
Highland	-31%	-45%	-73%	-64%	25%	-100%
Inverclyde	-71%	8%	-100%	100%	100%	
Midlothian	11%	-36%	0%	200%	-50%	
Moray	-15%	-23%	100%	-60%		
North Ayrshire	-4%	-19%	50%	-56%	-86%	-100%
North Lanarkshire	-49%	-45%	-30%	-31%	-33%	-100%
Orkney	57%	38%		-50%		
Perth and Kinross	-29%	-23%	-50%	100%	-33%	0%
Renfrewshire	-5%	-36%	0%	0%	-29%	0%
Scottish Borders	-46%	-26%	-50%	-67%		
Shetland	-67%	0%				
South Ayrshire	-18%	-33%	0%	50%		
South Lanarkshire	-14%	-55%	-55%	60%	-42%	
Stirling	-47%	-57%	-50%	50%	-63%	
West Dunbartonshire	-33%	9%		0%	-80%	
West Lothian	10%	-49%	-50%	0%		-67%



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