
Safeguarding Vulnerable Adults- Abuse Prevention Policy

Christine Buckley Centre
for Education & Support

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1.Responsibility for approval of policy	<i>Board and Manager</i>
2.Responsibility for implementation	<i>Board and All CBC Staff</i>
3.Responsibility for ensuring review	<i>Board and Manager</i>

1. Policy Statement

Christine Buckley Centre for Education & Support is a service provider for the Survivors of Institutional Abuse in Ireland including those who spent time in industrial schools, Magdalene Laundries and Mother and Baby homes and therefore is wholly committed to actively safeguarding the welfare and protection of vulnerable adults who access our services from further abuse.

Christine Buckley Centre is further committed to upholding and promoting the human rights of survivors who access our services especially those who are ageing and in line with best practice standards have adapted the HSE's 'Safeguarding Vulnerable Persons at Risk of Abuse National Policy and Procedures'. This policy can be found at...<http://www.hse.ie/eng/staff/Resources/hrppg/va.html>

Christine Buckley Centre acknowledges that all adults have the right to be safe and to live a life free from abuse. All persons are entitled to this right, regardless of their circumstances. It is the responsibility of Christine Buckley Centre that our Clients are treated with respect and dignity, have their welfare promoted and receive support in an environment in which every effort is made to promote welfare and to prevent abuse.

Christine Buckley Centre has a Zero Tolerance approach to any form of abuse and promotes a culture which supports this ethos.

2. Purpose

The purpose of this policy is to ensure that we put practices in place to promote and uphold the rights of all of our Clients and to manage allegations of abuse. Christine Buckley Centre has a Zero Tolerance to abuse and aims to ensure that abuse does not occur in our services.

3. Scope

The policy applies to all Staff and Volunteers and locums under the banner of Christine Buckley Centre. It also includes people from other agencies conducting in reach services in/for the centre for the time they are on the premises/providing services on our behalf. Where any Board member, staff member, contract worker, volunteer or student becomes aware of an act of non-compliance with this policy, they have a responsibility to bring it to the attention of the manager or senior member of staff on duty in the Manager's absence as appropriate.

Christine Buckley Centre will endeavour to support positive working relationships with local HSE child protection and Vulnerable Adult services through regular meetings / interagency training / other.

4. Definitions

As per the HSE, Social Care Division, for the purposes of this policy and procedures document; A vulnerable person can be defined as an Adult over the age of 18 years who may be restricted in capacity to guard him/herself against harm or exploitation or to report such harm or exploitation. Restriction of capacity may arise as a result of physical or intellectual impairment. Vulnerability to abuse is influenced by both context and individual circumstances.

There should be a presumption of decision making capacity unless proven otherwise and a person has a right to make decisions which other people may consider as unwise. The autonomy of the individual must be respected as much as possible.

Definitions of Abuse may be defined as “ any act, or failure to act , which results in a breach of a vulnerable person’s human rights, civil liberties, physical and mental integrity, dignity or general well being, whether intended or through negligence, including sexual relationships or financial transactions to which the person does not or cannot validly consent, or which are deliberately exploitative. Abuse may take a variety of forms.”

This definition excludes self-neglect which is an inability or unwillingness to provide for oneself. However, Christine Buckley Centre acknowledges that people may come into contact with individuals living in conditions of extreme self-neglect. To address this issue the HSE has developed a specific policy to manage such situations please see...<https://www.hse.ie/eng/staff/resources/hrppg/va.html>.

Although this abuse definition focuses on acts of abuse by individuals, abuse can also arise from inappropriate or inadequacy of care or programmes of care.

There are several forms of abuse, any or all of which may be perpetrated as the result of deliberate intent, negligence or lack of insight and ignorance. A person may experience more than one form of abuse at any one time. The following are the main categories/types of abuse.

- **Physical abuse** includes hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.
- **Sexual abuse** includes rape and sexual assault, or sexual acts to which the vulnerable person has not consented, or could not consent, or into which he or she was compelled to consent.
- **Psychological abuse** includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- **Financial or material abuse** includes theft, fraud, exploitation, pressure in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- **Neglect and acts of omission** includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life such as medication, adequate nutrition and heating.
- **Discriminatory abuse** includes ageism, racism, sexism, that based on a person's disability, and other forms of harassment, slurs or similar treatment.
- **Institutional abuse** may occur within residential care and acute settings including nursing homes, acute hospitals and any other in-patient settings, and may involve poor standards of care, rigid routines and inadequate responses to complex needs.

Who May Abuse?

- **Familial Abuse.** Anyone who has contact with a vulnerable person may be abusive, including a member of their family, community or a friend, informal carer, healthcare/ social care or other worker. Abuse of a vulnerable person by a family member.
- **Professional Abuse.** Misuse of power and trust by professionals and a failure to act on suspected abuse, poor care practice or neglect.
- **Peer Abuse.** Abuse, for example, of one Client by another Client.
- **Stranger Abuse.** Abuse by someone unfamiliar to the vulnerable person.

5. General Principles

Christine Buckley Centre fosters an environment which uses a preventative and early intervention approach to safeguard our Clients. Vulnerable persons have a right to be protected against abuse and to have any concerns regarding abusive experiences addressed. They have a right to be treated with respect and to feel safe.

The following principles are critical to the safeguarding of vulnerable persons from abuse:

- Ensuring Clients are informed about their rights and supporting them to exercise their rights.
- The centre has a well trained and experienced staff force who operate on a zero tolerance approach to all abuse.
- There is a confidentiality policy in operation.
- Safeguarding our Clients is given priority and achieved through team work and collaboration with interagency cooperation and information sharing.

Data/Information

All information concerned with the reporting and subsequent assessment of concerns or allegations of alleged abuse is subject to the HSE policy on service user confidentiality. However, information regarding or allegations of abuse cannot be received with a promise of secrecy.

A person providing such information should, as deemed appropriate, be informed that disclosures of information to appropriate others can occur if:

- A vulnerable person is the subject of abuse and/or
- The risk of further abuse exists and/or
- There is a risk of abuse to another vulnerable person(s) and/or
- There is reason to believe that the alleged person causing concern is a risk to themselves and/or
- A legal obligation to report exists. All staff must be aware that failure to record, disclose and share information in accordance with this policy is a failure to discharge a duty of care. In making a report or referral, it is essential to be clear whether the vulnerable person is at immediate and serious risk of abuse and if this is the case, it is essential to outline the protective actions taken.

Records

It is essential to keep detailed and accurate records of concerns or allegations of abuse and of any subsequent actions taken. Local procedures should also contain the necessary documentation to facilitate record keeping. Failure to adequately record such information and to appropriately share that information in accordance with this policy is a failure to adequately discharge a duty of care.

6. Procedure for reporting Concerns of Abuse

A concern regarding a vulnerable adult may come to light in a number of ways;

- Direct observation
- Disclosure
- Anonymous report
- As a complaint

When a safeguarding concern comes to light the person observing must follow the following procedure which is mapped out as illustrated in Appendix 1:

a. On the day of disclosure/concern:

The Staff Member/Volunteer who is dealing with the Client/Concern or that the Client has approached Listens, Reports and Records the Concern.

b. Within the next 3 days the Protection Officer must complete a preliminary screening and if necessary report the concern to the HSE Safeguarding team within the 3 days after they received the report. If the concern relates to children the Protection Officer must notify Tusla immediately.

c. Preliminary screening

The Preliminary screening is to establish if an abuse act occurred and if there are reasonable grounds for concern. If the concern is in relation to a staff member then the HSE Trust in Care Policy for managing allegations against staff will be adapted.

<http://www.hse.ie/eng/staff/Resources/hrppg/va.html>

Complaints (From HSE National Safeguarding Policy doc)

Things can go wrong and do go wrong in any service organisation. People may instinctively regard complaints as a comment on personal performance. However, the appropriate handling of complaints is an integral part of good governance and risk management. The first step for any organisation is to ensure that proper and effective complaint handling procedures are in place.

The office of the Ombudsman suggests that good complaints handling procedures should be well publicised, easy to access, simple to understand, quick, confidential, sensitive to the needs of the complainant and those complained against, effective, provide suitable remedies and be properly resourced. In January 2007, a new statutory complaints system for the HSE (Your Service Your Say) came into effect. This system allows anyone receiving public health or personal social services to make a complaint about the actions or failures of the HSE. The complaints system also covers service providers with HSE contracts who provide health or personal social services on behalf of the HSE. Part 9 of the Health Act, 2004, outlines the legislative requirements to be met by the HSE and relevant service providers in the management of complaints. All service providers (statutory and non statutory) must be compliant with "Your Service, Your Say"- The Policy and Procedures for the Management of Consumer Feedback to include Comments, Compliments and Complaints in the HSE.

Complaints procedures provide an opportunity to put things right for Clients and their families. They also are a useful additional means of monitoring the quality of service provision. Complaints are best dealt with through local resolution where the emphasis should be on achieving quick and effective resolutions to the satisfaction of all concerned.

Vulnerable persons may need particular support to use a complaints procedure. Constructive comments and suggestions also provide a helpful insight into existing problems and offer new ideas which can be used to improve services and provide an opportunity to establish a positive relationship with the complainant and to develop an understanding of their needs. Complaints should be dealt with in a positive manner, lessons should be learned and changes made to systems or procedures where this is considered necessary. Complaint handling systems should be strongly supported by management and reviewed and adjusted where necessary on a regular basis. Particular attention should be paid to complaints which are suggestive of abusive or neglectful practices or which indicate a degree of vulnerability. All cases of alleged or suspected abuse must be

taken seriously. All staff must inform the Manager immediately. Ensuring the safety and well-being of the vulnerable person is the priority consideration in the Christine Buckley Centre.

6. Roles & Responsibilities

All staff and persons working directly with the Clients of the Christine Buckley Centre must be Garda Vetted prior to starting in the centre and this will be subject to review as deemed necessary by the Garda Vetting Officer as per National Garda Vetting Guidelines.

Protection Officer

The Manager of the Christine Buckley Centre is the Designated Protection Officer for Vulnerable persons and the person to whom staff should report concerns to.

The Protection Officer role and responsibilities include;

- To ensure that procedures and arrangements are in place within the organisation to protect children in line with national guidelines.
- To act as a liaison with statutory services in matters relating to child and vulnerable adult protection
- To act as a resource person to the staff of the project, providing guidance in matters relating to child and vulnerable adult protection
- Take the lead role in ensuring the reporting and follow-up of referrals to the HSE / Gardaí, and ensuring that Christine Buckley Centre procedures are followed systematically and thoroughly.
- To ensure the provision of support / ensure staff making a referral receive appropriate support from line management.
- To promote opportunities for on-going practice discussion in relation to child and vulnerable adult protection practice.
- To ensure proper records are kept on any interventions / decisions made during the process.
- To seek appropriate line management support and supervision throughout the process.
- Ensure all reports regarding child and vulnerable adult protection and welfare from staff, contract workers, volunteers or students are firstly discussed with and counter-signed by them.
- Where the PO is going to be absent from work, s/he will agree with the Chairperson on a designated staff member, the Assistant Manager, to undertake PO responsibilities in his/her absence.
- If after the preliminary screening it is deemed that a safeguarding plan needs to be developed the Protection Officer will develop this with the Client, Staff and relevant support agencies within 3 weeks of the first reporting of the concern and notify to the HSE Safeguarding Team. The plan will be reviewed and adapted as necessary on an agreed timescale. When the risk of abuse has been eliminated the safeguarding plan can be closed.

Staff and Volunteer Role and Responsibilities:

- To protect all Clients in our services and report any suspected allegations/incidents of abuse to the Manager/Protection Officer.
- Complete any training as highlighted by the Manager
- Take responsibility for reading all relevant information shared and of the contents of the policy and procedures for reporting concerns.
- Volunteers should immediately bring concerns to staff members and leave the staff member to follow up the concern with the Client.

Staff must take the following steps when dealing with concerns...

- Listen, reassure and support the person who has made a disclosure. Do Not promise confidentiality and do explain you cannot keep secrets and have a duty of care under the HSE National Safeguarding Policy to report to the Protection Officer of the Christine Buckley Centre.
- Do Not Press the person for information. The report you make must be factual and staff are not trained forensically to interview Clients - this is the role of a Social worker. As soon as possible report the concern directly to the Protection Officer/Manager.
- Write up a record/report of what you reported.

WHAT TO REPORT

- Date of disclosure
- Who was involved, other witnesses including Clients/staff etc
- Exactly what happened or you were told using the persons own words. Keep it factual and do not include your own opinions/interpretations - JUST THE FACTS.
- Any other relevant info e.g. previous incidents of concern
- Include as much detail as possible
- Ensure it is legible. A password protected word document if typed.
- Keep confidential - Store safely and do not share with others: only the Protection officer unless advised otherwise by the Manager after the preliminary screening.
- Providing on-going support: maintain a positive relationship with the client after disclosure, keeping lines of communication open and listening carefully. Continue to include them in usual activities as far as is practicable but where necessary, immediate action should be taken to ensure their safety.
- Seek support: It is important to remember that dealing with a vulnerable adult abuse concern is stressful, and can have an impact on one's emotional well-being. Therefore, staff should actively seek out support from line management and peers within the bounds of confidentiality.
- Where a member of the public or a person from another agency advises a staff member of a vulnerable adult protection concern they should be advised to report their concerns directly to the HSE and given the appropriate contact details.

Staff Training

- A copy of the HSE's policy 'Safeguarding Vulnerable Persons at Risk of Abuse National Policy and procedures and Children First will be printed and made available to all staff and will be available at all times in the staff offices of the centre. It is the responsibility of all staff to have read and understood these national guidelines.
- All staff will be offered training in child protection if they have not already received training from either a HSE training session or from the Protection Officer within the organisation.
- The Manager will ensure that all staff are kept up to date with this training.
- Staff are required to follow all procedures within this policy.
- Adequate safeguards for vetting, hiring and inducting appropriately qualified staff will be employed as per the Recruitment and Selection Policy, the Induction Policy and the Garda Vetting Policy.

Christine Buckley Centre recognises that dealing with child and vulnerable adult protection can be distressing; staff will be appropriately supervised and supported around all safeguard reporting for vulnerable adults.

Failure to Report

Section 176 of the Criminal Justice Act 2006 introduced the criminal charge of reckless endangerment of children/vulnerable adults. It states: 'A person, having authority or control over a child/vulnerable adult or abuser, who intentionally or recklessly endangers a child/vulnerable adult by –

(a) Causing or permitting any child/vulnerable adult to be placed or left in a situation which creates a substantial risk to the child/vulnerable adult of being a victim of serious harm or sexual abuse, or

(b) Failing to take reasonable steps to protect a child/vulnerable adult from such a risk while knowing that the child /vulnerable adults in such a situation, is guilty of an offence.'

The penalty for a person found guilty of this offence is a fine (no upper limit) and/or imprisonment a term not exceeding 10 years.

7. Evaluation and Audit Process

There will be monthly reviews of incident management which will be incorporated into the Managers Monthly Data reports submitted to the Board of Trustees for each meetings consideration.

This policy will be reviewed every 2 years unless legislation changes occur.

8. References

HSE Trust in Care; Policy for Managing Allegations of abuse against staff members.
<https://www.hse.ie/eng/staff/resources/hrppg/trust-in-care.html>

HSE Safeguarding Vulnerable Persons at Risk of Abuse National Policy and Procedures. <http://www.hse.ie/eng/staff/Resources/hrppg/va.html>

Special Considerations

For concerns for Vulnerable Children please see the CBC Safeguarding Policy for Vulnerable Children.

Admission of retrospective abuse reports

As Christine Buckley Centre supports Survivors of Institutional Abuse, new clients who disclose their childhood abuse experiences to staff are submitted as retrospective reports to Tusla. Where there is disclosure by adults of abuse which took place in their childhood, and the Gardaí or HSE are aware of this any further action by these agencies will be based on the consideration of whether any child may be in contact with the alleged abuser. The service user needs to be informed of this policy and offered appropriate support services including onward referral to specialist services / counselling. These submissions are completed by the Protection Officer on Tusla's website.

Contact Details for Relevant Statutory Services

Tusla, Child and Family Agency, Wellmount Health Centre, Wellmount Park, Finglas, Dublin 11 Tel: 01-8567704. Store Street, Dublin 1 Tel: 01-6668108
<https://www.tusla.ie/children-first/report-a-concern/>

HSE National Safeguarding and Protection Teams contact details can be found:

<https://www.hse.ie/eng/services/list/4/olderpeople/elderabuse/protect-yourself/safeguarprotectteams.html>

Additional Safeguarding information and resources

<https://www.hse.ie/eng/about/who/socialcare/safeguardingvulnerableadults/>

Appendix 1- Map of Procedures

