

Carmichael.

**SAFEGUARDING
VULNERABLE ADULTS
POLICY**

Guiding nonprofits
www.carmichaelireland.ie



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1 Introduction

Carmichael is fully committed to safeguarding the well-being of adults by protecting them from physical, sexual, psychological, financial, discriminatory abuse and neglect. Carmichael accepts that in all matters concerning vulnerable adults, the welfare and protection of such adults is paramount. Although Carmichael does not directly provide services to or work with vulnerable adults, we do as an organisation come into contact with vulnerable adults using our facilities and so it is considered important that we are fully compliant with all relevant safeguarding guidance and legislation. Carmichael requires that any organisations working with children in the Centre provide a copy of their Safeguarding Vulnerable Policy to the Centre.

2 Safeguarding Vulnerable Adults Statement

Carmichael aims to adhere to the HSE Safeguarding Vulnerable Persons at Risk of Abuse National Policy and Procedures and to minimise the negative impacts of risk, while respecting and upholding the human rights and inherent dignity of all people involved with Carmichael.

3 A Vulnerable Person

A vulnerable person is defined in the HSE Safeguarding Vulnerable Persons at Risk of Abuse Policy and Procedures (p.3) as:

‘an adult who may be restricted in capacity to guard himself / herself against harm or exploitation or to report such harm or exploitation’.

4 Defining Abuse

Carmichael understands the definition of abuse in accordance with Safeguarding Vulnerable Persons at Risk of Abuse National Policy and Procedures (p. 8).

‘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 wellbeing, 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’.

5 Types of Abuse

- Physical abuse - includes hitting, slapping, pushing, kicking and 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.
- Discriminatory abuse - includes ageism, racism, sexism, that based on a person's disability, and other forms of harassment, slurs or similar treatment.
- 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.
- 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.

6 Barriers for Vulnerable Persons Disclosing Abuse

Barriers to disclosure may occur due to some of the following:

- Fear on the part of the service user of having to leave their home or service as a result of disclosing abuse.
- A lack of awareness that what they are experiencing is abuse.
- A lack of clarity as to whom they should talk.
- Lack of capacity to understand and report the incident.
- Fear of an alleged abuser.
- Ambivalence regarding a person who may be abusive.
- Limited verbal and other communication skills.
- Fear of upsetting relationships.
- Shame and/or embarrassment.

7 How to Respond To A Disclosure Of Abuse

A vulnerable adult may carefully select a person to confide in. That chosen person will be someone they trust and have confidence in. It is important that a vulnerable adult who discloses abuse feels supported and facilitated in what may be a frightening and traumatic process for them. A vulnerable adult may feel perplexed, afraid, angry, despondent and guilty. It is important that any negative feelings they may have are not made worse by the kind of response they receive. A vulnerable adult who

divulges abuse has engaged in an act of trust and their disclosure must be treated with respect, sensitivity, urgency and care.

It is of the utmost importance that disclosures are treated in a sensitive and discreet manner. Anyone responding to a vulnerable adult making such a disclosure should take the following steps.

- (a) Take what the vulnerable adult says seriously.
- (b) React calmly, as over-reaction may intimidate the vulnerable adult and increase any feelings of guilt that they may have.
- (c) Reassure the vulnerable adult that they were correct to tell somebody what happened.
- (d) Listen carefully and attentively.
- (e) Never ask leading questions.
- (f) Use open-ended questions to clarify what is being said and try to avoid having them repeat what they have told you.
- (g) Do not promise to keep secrets.
- (h) Advise that you will offer support but that you must pass on the information.
- (i) Do not express any opinions about the alleged abuser to the person reporting to you.
- (j) Explain and make sure that the vulnerable adult understands what will happen next. Do not confront the alleged abuser.

8 Reporting Procedures

Following a disclosure of abuse, employees/volunteers should:

Write down immediately after the conversation what was said, including all the names of those involved, what happened, where, when, if there were any witnesses and any other significant factors and note any visible marks on the individual making the report or any signs you observed.

- (a) Record the event, sign and date all reports and indicate the time the notes were made.
- (b) Ensure that the information is treated with the utmost confidence.
- (c) Allegations should not be investigated by employees/volunteers.
- (d) Employees/volunteers should pass that report to the Designated Officer(s) in Carmichael.

Under no circumstances should a vulnerable adult be left in a situation that exposes him or her to harm or to risk of harm. In the event of an emergency where you think a vulnerable adult is in immediate danger you should contact the Gardaí in the first instance. The nearest Garda station to Carmichael is the Bridewell Garda Station, Chancery Street, Dublin 7. T: +353 1 666 8200 and ask to be put through to the Bridewell Garda Station.

What Does an Employee/Volunteer do if they Suspect or have reasonable grounds for concern that a vulnerable adult is being abused

Try to ensure in so far as is possible that no situation arises that could cause any further risk to the vulnerable adult.

- (a) Record the facts as you know them. Include the person's name, address, the nature of the concern, allegation or disclosure. Employees/volunteers should pass that report to the Designated Officer(s) in Carmichael.

9 Designated Officer(s)

In accordance with Safeguarding Vulnerable Persons at Risk of Abuse National Policy and Procedures (p. 41) Carmichael has appointed a Designated Officer & Deputy Designated Officer who are responsible for:

- Receiving concerns or allegations of abuse regarding vulnerable persons
- Collating basic relevant information
- Ensuring the appropriate manager is informed and collaboratively ensuring necessary actions are identified
- Ensuring all reporting obligations are met (internally to the service and externally to the statutory authorities)
- Supporting the manager and other personnel in addressing the issues arising.
- Maintaining appropriate records.

Designated Officers:

NAME: Andrew Madden

T: 01 873 5702 Ext 311

M: 086 820 8658

E: andrew@carmichaelireland.ie

NAME: Edel Murphy

T: 01 873 5702 Ext 145

M:

E: edel@carmichaelireland.ie

10 Confidentiality

All information regarding concern for a vulnerable adult should be shared on 'a need to know' basis in the interests of the person concerned. The provision of information to the statutory agencies for the protection of a vulnerable adult is not a breach of confidentiality or data protection.

Employees/volunteers should not give any undertakings regarding secrecy.

11 Guidance for Carmichael as an employer Dealing With An Allegation Of Abuse of a Vulnerable Adult

If an allegation is made against an employee /volunteer within Carmichael, we will ensure that everyone involved gets a proper response. This involves making sure that two separate procedures are followed:

- the reporting procedure in respect of the vulnerable adult;
- the procedure for dealing with the employee/volunteer

The same person will not deal with both of the above.

When an allegation of abuse is received against employees/volunteers it will be assessed promptly and carefully by Carmichael. Action taken in reporting an allegation of the abuse of a vulnerable adult against an employee/volunteer should be based on an opinion formed reasonably and in good faith. It will be necessary to decide whether a formal report should be made to the relevant Safeguarding & Protection Team within the HSE. *This decision should be based on reasonable grounds for concern, as outlined in earlier in this policy document.*

The first priority is to ensure that no vulnerable adult is exposed to unnecessary risk. Carmichael, as an employer, will as a matter of urgency take any necessary protective measures. These measures will be proportionate to the level of risk and will not unreasonably penalise the employee/volunteer financially or otherwise, unless necessary to protect any vulnerable adults. Where protective measures penalise the employee/volunteer it is important that early consideration be given to the case.

Any action taken should be guided by agreed procedures, the applicable employment contract and the rules of natural justice.

The Chief Executive Officer of Carmichael, should be informed about the allegation as soon as possible. When Carmichael becomes aware of an allegation of abuse of a vulnerable adult by an employee/volunteer during the execution of that person's duties, The Chief Executive Officer of Carmichael will inform the employee/volunteer of the following:

- (i) the fact that an allegation has been made against him or her;
- (ii) the nature of the allegation.

The employee/volunteer will be afforded an opportunity to respond. The Chief Executive Officer of Carmichael will note the response and pass on this information if making a formal report to the relevant Safeguarding & Protection Team within the HSE.

Everyone in Carmichael will take care to ensure that actions taken by them do not undermine or frustrate any investigations/assessments conducted by the relevant Safeguarding & Protection Team within the HSE or An Garda Síochána. The Chief Executive Officer of Carmichael will maintain a close liaison with the statutory authorities to achieve this.

Carmichael should be notified of the outcome of an investigation and/or assessment. This will assist them in reaching a decision about the action to be taken in the longer term concerning the employee.

Note: The reporting procedure in respect of the child will be dealt with by the Carmichael Designated Person(s) unless there is any reason why this is not possible.

In the event that it is not appropriate for the CEO to carry out the responsibilities above, the Chairperson of Carmichael will do so.

12 National Contacts For Safeguarding & Protection Teams within the HSE –

See -http://www.hse.ie/eng/services/list/4/olderpeople/elderabuse/Protect_Yourself/Protect.html

13 Criminal Justice (Withholding Of Information On Offences Against Children And Vulnerable Persons) Act 2012

Carmichael understands that failure to record, disclose and share information about alleged abuse is a failure to discharge a duty of care and that it may be an offence under the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons Act 2012 to withhold information in such instances.

14 Training in Safeguarding Vulnerable Adults

See Carmichael Training & Development Policy (Employee Hand Book Section 3 Recruitment) and (Employee Hand Book Section 4 Training and Development).

15 Staff Recruitment Process

In order to comply with National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016 Carmichael requires that all employees/volunteers who undertake relevant work or activities as defined in Schedule 1 Parts 1 & 2 of the Act are vetted by the National Vetting Bureau. In 2017 all existing employees/volunteers at Carmichael were retrospectively vetted.

It is the policy of Carmichael that all employees/volunteers who undertake relevant work or activities as defined in Schedule 1 Parts 1 & 2 of the Act will be re-vetted every 5 years.

See Carmichael Recruitment Policy for more information on the Staff Recruitment Process (Employee Hand Book Recruitment Section 2). See also Carmichael Vetting Policy.