



DROP

Acceptance • Support • Progression

Dun Laoghaire Rathdown Outreach Project CLG Safeguarding Adults Policy

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Board of Management

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Introduction

Dun Laoghaire Rathdown Outreach Project CLG is committed to Safeguarding Adults in line with national legislation and relevant national and local guidelines.

We will safeguard adults by ensuring that our activities are delivered in a way which keeps all adults safe and protected from physical, psychological, financial, discriminatory abuse and neglect.

Dun Laoghaire Rathdown Outreach Project CLG is committed to creating a culture of zero-tolerance of harm to adults which necessitates: the recognition of adults who may be at risk and the circumstances which may increase risk; knowing how adult abuse, exploitation or neglect manifests itself; and being willing to report safeguarding concerns.

Dun Laoghaire Rathdown Outreach Project CLG is committed to best safeguarding practice and to uphold the rights of all adults to live a life free from harm from abuse, exploitation and neglect.

Safeguarding Vulnerable Adults Statement

Dun Laoghaire Rathdown Outreach Project aims to adhere to the HSE Safeguarding Vulnerable Adults at Risk of Abuse National Policy and Procedures to minimise the negative impacts of risk, while respecting and upholding the human rights and inherent dignity of all people involved with the organisation.

Dun Laoghaire Rathdown Outreach Project believes everyone has the right to live free from abuse or neglect regardless of age, ability or disability, sex, race, religion, ethnic origin, sexual orientation, marital or gender status.

Dun Laoghaire Rathdown Outreach Project is committed to creating and maintaining a safe and positive environment and an open, listening culture where people feel able to share concerns without fear of retribution.

Dun Laoghaire Rathdown Outreach Project acknowledges that safeguarding is everybody's responsibility and is committed to prevent abuse and neglect through safeguarding the welfare of all adults involved.

Dun Laoghaire Rathdown Outreach Project recognises that health, well-being, ability, disability and need for care and support can affect a person's resilience. We recognise that some people experience barriers, for example, to communication in raising concerns or seeking help. We recognise that these factors can vary at different points in people's lives.

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”.

Defining Abuse

Dun Laoghaire Rathdown Outreach Project understands the definition of abuse in accordance with Safeguarding Vulnerable Persons at Risk of Abuse National Policy & Procedure (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 thought 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 many forms”.

Abuse is a violation of an individual’s human and civil rights by another person or persons. It can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it. Any or all of the following types of abuse may be perpetrated as the result of deliberate intent, negligence, omission or ignorance.

There are different types and patterns of abuse and neglect and different circumstances in which they may take place.

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 – include ignoring medical or physical care needs, failure to provide access to appropriate health, social 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.

Abuse can take place in any relationship and there are many contexts in which abuse might take place; e.g. Institutional abuse, Domestic Abuse, Forced Marriage, Human Trafficking, Modern Slavery, Sexual Exploitation, County Lines, Radicalisation, Hate Crime, Mate Crime, Cyber bullying, Scams. Some of these are named specifically within home nation legislations.

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

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 that 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, confusing 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 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 them and increase any feelings of guilt or fear that they may be carrying
- (c) Reassure them that they were correct to tell somebody what has happened and how they are feeling about it
- (d) Listen carefully and attentively
- (e) Never ask leading questions – use open ended questions to clarify what is being said and try to avoid having them repeat what they have told you. Reflect back what you have said to clarify
- (f) Do not promise to keep secrets and confirm that the information will be shared with those appropriate within the team
- (g) Advise that you will offer support but that you must pass the information on and cannot hold it
- (h) Do not express any opinions about the alleged abuser to the person reporting to you
- (i) Explain and make sure that they understand what the next step is
- (j) Do not confront the alleged abuser.

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 where there is an accusations of physical abuse.

- (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 in DROP
- (e)

Under no circumstances should a vulnerable adult be left in a situation that exposes him or her to risk of harm. In the event of an emergency where you think a vulnerable

adult is in immediate danger you should contact the Gardai in the first instance. The nearest garda station to DROP is Dun Laoghaire, 34/35 Corrig Avenue, Dun Laoghaire, Co Dublin. A96 N299 Phone: 01 666 5000

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 of harm to the vulnerable adult. Record the facts as you have been told them. Include the person's name, address, the nature of the concern, allegation of disclosure. Employees/volunteers should pass that report to the Designated Officer in DROP.

Implementation

Dun Laoghaire Rathdown Outreach Project is committed to developing and maintaining its capability to implement this policy and procedures. In order to do so the following will be in place:

- A clear line of accountability within the organisation for the safety and welfare of all adults.
 - Access to relevant legal and professional advice.
 - Regular management reports to the Board which will include any reports and management of said reports of abuse
 - Safeguarding adult procedures that deal effectively with any concerns of abuse or neglect, including those caused through poor practice.
 - A Designated Officer responsible for managing reports of alleged abuse
 - Arrangements to work effectively with other relevant organisations to safeguard and promote the welfare of adults, including arrangements for sharing information.
 - Codes of conduct for Board members, Staff, and Volunteers that specify zero tolerance of abuse in any form.
 - Risk assessments that specifically include safeguarding of adults.
 - Policies and procedures that address the following areas and which are consistent with this Safeguarding Adults policy.
- | | |
|---|--|
| <ul style="list-style-type: none"> ✓ Safeguarding Children ✓ Bullying and harassment ✓ Media ✓ Safe activities risk assessments | <ul style="list-style-type: none"> ✓ Code of Conducts and a process for breach of these - Staff, and Volunteers ✓ Discipline and grievance ✓ Complaints ✓ Whistleblowing |
|---|--|

✓ Safe recruitment and selection
(staff and volunteers)

✓ Data Protection in line with
General Data Protection
Regulations

Designated Officers

In accordance with Safeguarding Vulnerable Person's at Risk of Abuse National Policy and Procedures (p.41) DROPS 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

In DROPS the Designated officers are The Manager and the Chairperson of the Board of Management

Confidentiality

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

Information about concerns of abuse includes personal data. It is therefore important to be clear as to the grounds for processing and sharing information about concerns of abuse.

Processing information includes record keeping. Records relating to safeguarding concerns must be accurate and relevant. They must be stored confidentially with access only to those with a need to know.

The purpose of Data Protection legislation is not to prevent information sharing but to ensure personal information is only shared appropriately. Data protection legislation allows information sharing within an organisation. For example:

- Anyone who has a concern about harm can make a report to an appropriate person within the same organisation

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There are also many situations in which it is perfectly legal to share information about adult safeguarding concerns outside the organisation. Importantly personal

information can be shared with the consent of the adult concerned. However, the adult may not always want information to be shared. This may be because they fear repercussions from the person causing harm or are scared that they will lose control of their situation to statutory bodies or because they feel stupid or embarrassed. Their wishes should be respected unless there are over-riding reasons for sharing information.

The circumstances when we need to share information without the adult's consent include those where:

- it is not safe to contact the adult to gain their consent – i.e. it might put them or the person making contact at further risk.
- you believe they or someone else is at risk, including children.
- you believe the adult is being coerced or is under duress.
- it is necessary to contact the gardai to prevent a crime, or to report that a serious crime has been committed.
- the adult does not have mental capacity to consent to information being shared about them.

When information is shared without the consent of the adult this must be explained to them, when it is safe to do so, and any further actions should still fully include them.

If you are in doubt as to whether to share information seek advice e.g. seek legal advice and explain the situation without giving personal details about the person at risk or the person causing harm.

Any decision to share or not to share information with an external person or organisation must be recorded together with the reasons to share or not share information.

Guidance as an Employer Dealing With an Allegation of Abuse of a Vulnerable Adult

If an allegation is made against an employee/volunteer within the Dun Laoghaire Rathdown Outreach Project, 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 DROP. 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 earlier in this policy and this decision should be noted in all reports.*

The first priority is to ensure that no vulnerable adult is exposed to unnecessary risk. DROP, 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 Manager of DROP should be informed of the allegation as soon as possible who will in turn notify the Chairperson of the Board of Management. When DROP becomes aware of an allegation of abuse of a vulnerable adult by an employee/volunteer during the execution of that person's duties, The Manager 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 Manager of DROP 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 DROP 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 Manager of DROP will maintain a close liaison with the statutory authorities to achieve this.

DROP 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 DROP Designated Person(s) unless there is any reason why this is not possible.

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

National Contacts For Safeguarding & Protection Teams within the HSE

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

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

DROP 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.

Staff Recruitment Process

In order to comply with National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016 DROP 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. It is the policy of DROP 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 3 years.