
Safeguarding Vulnerable Adults Policy

Newcastle Community Centre

Approval date: 1/5/2019

Revision date: 1/5/2022
Revised 5/1/2023
Next revision date 1/1/2026

1.Responsibility for approval of policy	<i>Board</i>
2.Responsibility for implementation	<i>Chairperson</i>
3.Responsibility for ensuring review	<i>Secretary</i>

1. Policy Statement

- 1.1. Newcastle Community Centre 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 the Centre.

2. Purpose

- 2.1. To ensure Newcastle Community Centre is clear about its roles and responsibilities providing for the welfare of vulnerable adults and ensuring they are protected.

3. Scope

- 3.1. Although Newcastle Community Centre does not directly provide services or work with vulnerable adults, we may as an organisation come into contact with vulnerable adults using our facilities. It is important the Board, volunteers, service users are fully compliant with all relevant safeguarding guidance and legislation.

4. Principles

- 4.1. Newcastle Community Centre is fully committed to safeguarding the well being of adults by protecting them physical, sexual, psychological, financial, discriminatory abuse or neglect.
- 4.2. The organisation accepts that in all matters concerning vulnerable adults, the welfare and protection of such adults is paramount.

5. A Vulnerable Person

- 5.1. A vulnerable person is defined in the HSE Safeguarding Vulnerable Person at Risk of Abuse "*an adult who may be restricted in capacity to guard himself/herself against harm or exploitation or to report such harm or exploitation*"

6. Defining Abuse

- 6.1. Newcastle Community Centre understands the definition of abuse in accordance with Safeguarding Vulnerable Persons at Risk of Abuse National Policy and Procedures "any act, or failure to act, which results in a breach of a vulnerable persons 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"

7. Types of abuse

- 7.1. Physical abuse includes hitting, slapping, pushing, kicking and misuse of medication, restraint or inappropriate sanctions.
- 7.2. 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.
- 7.3. 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
- 7.4. 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.
- 7.5. Discriminatory abuse – includes ageism, racism, sexism, that based on a person's disability, and other forms of harassment, slurs or similar treatment.
- 7.6. 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.

- 7.7. 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.

8. Barriers for Vulnerable Persons Disclose Abuse.

- 8.1. Barriers to disclosure may occur due to some of the following:
- 8.1.1. Fear on the part of the service user of having to leave their home or service as a result of disclosing abuse.
 - 8.1.2. A lack of awareness that what they are experiencing is abuse
 - 8.1.3. A lack of clarity as to whom they should talk.
 - 8.1.4. Lack of capacity to understand and report the incident.
 - 8.1.5. Fear of the alleged abuser
 - 8.1.6. Ambivalence regarding a person who may be abusive
 - 8.1.7. Limited verbal and other communication skills
 - 8.1.8. Fear of upsetting relationships
 - 8.1.9. Shame and/or embarrassment.

9. How to Respond To a Disclosure of Abuse.

- 9.1. A vulnerable adult may carefully select a person to confide in. That chosen person will be someone they trust and 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 disclosure are treated in a sensitive and discreet manner. Anyone responding to a vulnerable adult making such a disclosure should take the following steps:

- 9.1.1. Take what the vulnerable adult says seriously
- 9.1.2. React calmly, as over-reaction may intimidate the vulnerable adult and increase any feelings of guilt that they may have.
- 9.1.3. Reassure the vulnerable adult that they were correct to tell somebody what happened.
- 9.1.4. Listen carefully and attentively.
- 9.1.5. Never ask leading questions
- 9.1.6. Use open-ended questions to clarify what is being said and try to avoid having them repeat what they have told you.
- 9.1.7. Do not promise to keep secrets
- 9.1.8. Advise that you will offer support but that you must pass on the information.
- 9.1.9. Do not express any opinions about the alleged abuser to the person reporting to you.
- 9.1.10. Explain and make sure that the vulnerable adult understands what will happen next. Do not confront the alleged abuser

10. Reporting Procedures.

- 10.1. Following a disclosure of abuse, board members, volunteers, employees should:

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

- 10.1.1. Record the event, sign and date all reports and indicate the time the notes were made.
- 10.1.2. Ensure that the information is treated with the utmost confidence.
- 10.1.3. Allegations should not be investigated by the board member/volunteers.
- 10.1.4. Volunteers/board members/employees should pass that report to the Designated Person in Newcastle Community Centre.

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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 Gardai in the first instance. The nearest Garda station is Newtownmountkennedy Garda Station. The telephone number is 01 2819222.

What does a 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.
- Record the facts as you know them, includes the person's name, address, the nature of the concern, allegation or disclosure. Volunteers should pass that report to the Newcastle Community Centre designated person.

11. Designated Person

In accordance with Safeguarding Vulnerable Persons at risk of Abuse National Policy and Procedures, Newcastle Community Centre has appointed a Designated Person who is responsible for:

- 11.1.1. Receiving concerns or allegations of abuse regarding vulnerable persons
- 11.1.2. Collating basic relevant information
- 11.1.3. Ensuring necessary actions are identified.
- 11.1.4. Ensuring all reporting obligations are met (internally to the service and externally to the statutory authorities)
- 11.1.5. Maintaining appropriate Records

Designated Person

Name: Mary Woodnutt

Telephone No 0862424272

Mobile

12. Confidentiality

- 12.1. 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. Volunteers should not give any undertakings regarding secrecy.

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

Newcastle Community Centre understand 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 circumstances. Further relevant legislation is set out in the appendix to this policy.

14. National Contacts for Safeguarding and Protection Teams within the HSE –

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

Review

This policy will be reviewed in three years or sooner if circumstances change.

Signed:
Chairperson

Signed
Secretary

Date

Date

Signed version of policy kept in Newcastle Community Centre.

1. Appendix – Relevant Legislation

1.1. Protections for Persons Reporting Child Abuse Act 1998.

Protection for Persons reporting Child Abuse Act 1998 makes provision for the protection from civil liability of persons who have communicated child abuse “reasonably and in good faith to designated officers of Tusla (the Child and Family Agency) or to any member of An Garda Síochána.

1.2 Section 1786 of Criminal Justice Act 2006 (Reckless Endangerment)

(2) A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by –

- Causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse or
- Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a position.

Is guilty of an offence

- Where a person is charged with an offence under subsection (2), no further proceedings in the matter (other than any remand in custody or on bail) shall be taken except by or with the consent of the Director of Public Prosecutions.
- A person guilty of an offence under this section is liable on conviction on indictment, to a fine or to imprisonment for a term not exceeding 10 years or both.

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

In 2012 Criminal Justice (withholding Of Information On Offences Against Children And Vulnerable Persons) Act 2012 was passed.

This legislation establishes an offence of withholding information in relation to specified offences committed against a child or vulnerable adult.

A person shall be guilty of an offence if –

- He/she knows of a specified offence having been committed by another person against a child or vulnerable adult and

- He/she has information which might be of assistance in securing apprehension, prosecution or conviction of that other person and fails, without reasonable excuse, to disclose that information to an Garda Siochana.

1.4 National Vetting Bureau (Children and Vulnerable Persons) Act 2012

The National Vetting Bureau Act 2012 makes provision for the protection of children and vulnerable persons and, for that purpose:

- To provide for the establishment and maintenance of a National Vetting Bureau Database system.
- To provide for the establishment of procedures that are to apply in respect of persons who wish to undertake certain work or activities relating to children or vulnerable persons or to provide certain services to children or vulnerable persons.
- To amend the Garda Siochana Act 2005 to provide for the change of name of the Garda Central Vetting Unit to the National Vetting Bureau.
- And to provide for related matters.