

Safeguarding and protection of vulnerable adults

L'Arche Ireland

Statement and scope

L'Arche Ireland aims to support each person with a disability in living as normal a life as possible in a safe and supportive environment, having opportunities for choice, personal development, fulfilling relationships and protection from exploitation and abuse.

All adults have the right to be safe and live a life free from abuse. It is the aim of L'Arche Ireland to ensure that at all times people who receive our services are treated with respect and dignity, have their welfare protected and receive support in an environment in which abuse is proactively prevented.

We are committed to safeguarding from abuse, all vulnerable adults who use our services and to having preventative measures and procedures in place for safeguarding them. We are committed to promoting a culture of zero tolerance of abuse, as well as ensuring L'Arche Ireland upholds principles of trust, respect, dignity, honest communication and positive risk management for all who receive and provide supports.

L'Arche Ireland has a zero tolerance approach to abuse where ever it occurs or whoever are responsible. It is committed to promoting an atmosphere of inclusion, transparency and openness. Feedback from people who use its supports, assistants and volunteers is welcomed with a view to how it may assist with the continuous improvement of support provision.

The purpose of this policy is to clarify the roles and responsibilities of all assistants when faced with an incident of abuse or inadequate care of a vulnerable adult. This policy is guided by the Health Act 2007 (Care and support of residents in designated centres for persons (Children and Adults) with disabilities) Regulations 2013, Trust in Care: Policy for Health Service Employers on Upholding the Dignity and Welfare of Patients/Clients and the Procedure for Managing Allegations of Abuse against Assistants Members and HSE National Consent Policy.

Aims:

- Manage safeguarding risk in line with the Risk Management Framework
- Outline the philosophy underpinning work when confronted with possible abuse
- Define abuse and inadequate care of service users.
- Identify risk factors associated with abuse and inadequate care to enable practitioners to identify cases more accurately
- Establish a standard procedure that should be followed when a practitioner suspect's abuse has taken place.
- Define Restrictive Practice and its impact.

This policy applies to all assistants and volunteers within L'Arche Ireland and all associated communities. L'Arche Ireland is committed to ensuring that all assistants are aware of, and understand, what constitutes abuse of a vulnerable adult, how L'Arche Ireland safeguards vulnerable adults from abuse, how a safeguarding concern can be reported and how L'Arche Ireland responds to safeguarding concerns.

Principles of Safeguarding in L'Arche Ireland

Principle of upholding human and civil rights. All core members must be supported with dignity and respect. All core members should be able to live as independently as possible and to make informed decisions about their lifestyles, including taking informed risks if they choose and are competent to do so. Assistants, volunteers, and core members are made aware of human and civil rights, which must be upheld and protected as core values.

Principle of prevention: Prevention of abuse is achieved through supporting the mutual respect of the vulnerable adults we support and all in L'Arche communities. The promotion of a warm, loving, enabling relationships, and an environment which encourages the core members to have a strong self- confidence and self -belief, this creates a culture where abuse is not tolerated. Policies and procedures ensure the support of a positive culture, for example (recruitment, Garda vetting, support and supervision).

The Commission for Social Care Inspection (CSCI) identified some of the following building blocks for prevention and early intervention¹:

- People being informed of their rights to be free from abuse and supported to exercise these rights, including access to advocacy.
- A well-trained workforce operating in a culture of zero tolerance to abuse.
- A sound framework for confidentiality and information sharing across service providers.
- Needs and risk assessments to inform people's choices.
- A range of options for support to keep people safe from abuse tailored to people's individual needs.
- Services that prioritise both safeguarding and independence.
- Multi-disciplinary teamwork, interagency co-operation and information sharing.

Principle of presumption of capacity and core member enablement recognises that core member enablement is at the heart of the ethos of L'Arche Ireland. L'Arche Ireland adheres to the presumption of capacity for all our core members (*see: Wills and Preferences policy*) and in line with *the Assisted decision making act*; this means that core member choices and decisions should be respected, whilst ensuring that risks involved are identified and minimised to the furthest extent.

Principle of ongoing collaborative learning acknowledges that it is the responsibility of all assistants and volunteers to safeguard core members from abuse and neglect. This means that all assistants and volunteers should work together to know and understand the various types of abuse and neglect, how to raise concerns and the process for addressing safeguarding concerns. Assistants and volunteers should support each other in providing safe and effective care, in a way that upholds the rights and independence of core members.

Principle of good communication as good practice. Good communication is key to preventing abuse and neglect. This means that concerns about abuse or neglect should be communicated as soon as possible to the safeguarding officer. Equally, all safeguarding risk assessments and plans should be

¹ Prevention in adult safeguarding, Social Care Institute for Excellence, UK May 2011

communicated effectively as required. All methods of communication are important to achieve safeguarding. These include listening to all concerned; asking appropriate questions; maintaining and reviewing good written records; respecting confidentiality; regular reviewing by all concerned.

Principle of open disclosure is an open, consistent approach to communicating with all affected person when things go wrong in L'Arche Ireland. This includes expressing regret for what has happened, keeping the person informed, providing feedback on investigations and the steps taken to prevent a recurrence of the adverse incident. Where communication or capacity issues arise, an independent advocate will assist core members in consulting with the community and making informed decisions.

Definitions of abuse and neglect

Abuse may be defined as “the physical, psychological emotional, financial, or sexual maltreatment or neglect of a vulnerable adult by another person. The abuse may be a single act or repeated over a period. It may take one form or a multiple of forms. The lack of appropriate action can also be a form of abuse. Abuse can occur in a relationship where there is an expectation of trust and can be perpetrated by a person or persons, in breach of that trust, who have influence over the life of a dependent whether they be formal or informal care givers, assistants or family members or others. It can also occur outside such a relationship.”

TRUST IN CARE DEFINITION: Trust in Care (2005) defines abuse in the context of staff caring and supporting core members. The document states: Abuse is any form of behaviour that violates the dignity of patient/clients. Abuse may consist of a single act or repeated acts. It may be physical, sexual, or psychological/emotional. It may constitute neglect and poor professional practice. It may take the form of isolated incidents of poor or unsatisfactory professional practice, at one end of the spectrum, through to pervasive ill treatment or gross misconduct at the other.

There are six broad definitions of abuse which can be used to illustrate the type of behavior which may constitute abuse: physical, sexual, psychological/ emotional, financial, institutional and neglect. While these definitions give an indication of the different forms of abuse, it does not comprise an exhaustive list.

Institutional Abuse

The term “institutional” refers to all establishments where core members attend for care and support. All establishments should ensure that their routines do not negate the ability of core members to receive personal and individualised care and support and that their rights to privacy, independence, choice and fulfilment are met and in no way compromised.

L'Arche Ireland will investigate allegations of institutional abuse with the same vigour and using the same protocols as other instances of abuse.

If the occurrence of abuse is regarded as being influenced by factors wholly or partly outside of the assistants' immediate control (e.g. staffing levels, health and safety levels, etc.) the member of assistants should in the first instance take all reasonable steps to reduce the risk involved and then instigate the Complaints Procedure on behalf of the core member. L'Arche Ireland aims to prevent any instances of Institutional Abuse through the proper use of person centred plans and care plans.

Indicators of Institutional Abuse:

- Lack of flexibility/choice
- No opportunity for drinks and snacks
- Lack of choice re: consultation on meals
- Pressure Sores
- Person is unkempt and smells
- Over-use of communal items and communal personal toiletries
- Inappropriate use of restraint
- Lack of privacy, including editing of mail, restricting visits, control of phone.
- Derogatory remarks overheard
- Public discussion of personal matters
- Inadequate or delayed response to medical requests
- Missing documentation
- Entering rooms without knocking/seeking permission
- Assistants overly controlling relationships with core members
- Core member activities curtailed due to assistants shift patterns

Physical Abuse

Physical Abuse is the physical ill treatment of a core member which may, or may not cause physical injury. This includes pushing, shaking, pinching, slapping, punching and force-feeding. Physical abuse can occur in situations where people are caused unjustifiable physical discomfort. This can be through the withholding of care, withholding of access requirements or the application of inappropriate techniques or treatments. It can include enforced isolation and confinement, e.g. a core member being locked in their room, prevented from leaving their room and inappropriate methods of restraint. It also includes the improper administration of drugs or the denial of prescribed medication.

L'Arche Ireland aims to prevent physical abuse through accurate reporting and recording on Incident Report Forms (*see Risk Management Framework*) and the use of body charts where necessary.

Physical Abuse Indicators:

- Significant change in any behaviour
- Injuries that are not explained satisfactorily
- Core member exhibiting untypical self-harm

- Unexplained bruising in various stages of healing. Collections of bruising that form regular patterns which correspond to the shape of an object or which appear of several areas of the body.
- Unexplained burns in unlikely parts of the body e.g. soles of feet, palms of hands and back, immersion burns, rope burns, burns from electrical appliances.
- Unexplained or inappropriate fractures at various stages of healing
- Unexplained cuts or scratches to the mouth, lips, gums, eyes or genitalia
- Medical problems that go unattended
- Sudden unexplained urinary or faecal incontinence
- Evidence of over or under medication
- Core member flinches at physical contact
- Core member appears frightened or subdued in the presence of particular people
- Core member asks not to be hurt
- Core member may repeat what perpetrator has said, e.g. “shut up” or “I will hit you”
- Reluctance to undress part of the body
- Core member wears clothes that covers all or specific parts of their body.

Financial Abuse

Financial abuse constitutes the misuse of money, property and possessions (including blocking a core member’s access to his or her home or material goods), pensions, allowances or insurance. It also incorporates denying the rights of a core member who may be competent to handle his or her financial affairs. Permanently depriving a core member of money, property, possessions, pensions or allowances through threats or misappropriation of such through deception.

L'Arche Ireland aims to prevent all financial abuse through full adherence to the *Use of Core members’ money policy*).

Financial Abuse Indicators:

- An unexplained shortage of money, despite adequate income
- Unpaid bills
- Unexplained withdrawals from a core members bank account
- The disappearance of bank statements, documents and valuables including jewellery
- Reluctance on the part of family, friends of the core member controlling the funds to pay for necessary food, clothes or other items.
- Power of attorney obtained with the core member lacks the capability to take the decision.

Sexual Abuse

The area of sexual activity is bound with other people's values and morals. A clear understanding of the issues of informed consent, of those relationship which are proscribed i.e. incestuous; that people are sexual beings and that peoples' rights to sexual activity and privacy are fundamentally important in establishing whether or not particular activities constitute sexual abuse

Sexual Abuse can be defined as any form of sexual activity that the adult does not want and to which they have not consented, or to which they cannot give informed consent.

Any sexual relationship that develops between adults where one is in a position of power, trust or authority, in relation to the other, for example day centre worker/social worker/ residential support worker, etc. will be regarded as sexual abuse.

Sexual abuse includes rape, anal intercourse, incest and situations where the perpetrator touches the abused person's body (e.g. breasts, buttocks, genital area) exposes his or her genitals (possibly encouraging the abused person to touch them) or makes inappropriate comments. Sexual abuse can happen to anyone of any gender.

L'Arche Ireland aims to prevent all forms of sexual abuse through the application of the Sexuality Policy

Sexual abuse indicators:

- The person discloses either fully or partially that sexual abuse is occurring or has occurred in the past
- The person has urinary tract infections, vaginal infections or sexually transmitted diseases that are not otherwise explained
- Person experiences unexplained pain, itching or bleeding in genital/anal area
- Person's underclothing is torn, stained or bloody
- A woman who lacks the capacity to consent to sexual intercourse becomes pregnant
- Change in level or nature of physical contact in terms of the amount of contact
- Change in level or nature of physical contact in terms of the parts of the body

Emotional and Psychological Abuse may be intentional or unintentional; it may involve the use of intimidation, indifference, hostility, rejection, threats, humiliation, shouting, swearing or the use of discriminatory and/or oppressive language which results is:

Core member's choices, opinions and wishes being ignored or over-ruled unnecessarily. Core members becoming isolated or over dependent

Emotional and Psychological abuse includes the denial of a person's human and civil rights including informed choice and opinion, privacy and dignity and being able to follow ones spiritual and cultural beliefs or sexual orientation. It includes preventing vulnerable adults from using services that would otherwise support them and enhance their lives. Furthermore, it includes the intentional and/or unintentional withholding of information.

L'Arche Ireland aims to prevent all forms of Emotional and Psychological Abuse through the respect and value for the rights of the individual and the importance of individualised Person-Centred Plans. All assistants and volunteers are required to adopt the Code of Conduct and follow all procedures and policies within the organisation

Emotional and Psychological Abuse indicators:

- Ambivalence, deference, passivity, resignation
- Person appears anxious or withdrawn especially in the presence of the perpetrator
- Person exhibiting low self-esteem
- Lack of provision for dress, diet, language or specific religious observances relating to an adults background or culture
- Rejecting his or her own cultural background or racial origin
- Untypical changes in behaviour, e.g. continence problems, sleep disturbance
- Person's access to personal hygiene and toilet is restricted
- Person's movement is restricted by use of furniture or other equipment. Be aware that every other category of abuse will almost inevitably involve elements of psychological abuse. Signs of psychological abuse may well be indicative of other forms of abuse taking place.

Neglect can take many forms and assistants must always be alert to signs of neglect. The following list is not exhaustive:

- Failing to care or support core members with personal care, meals and failing to encourage positive outcomes towards independent living
- Leaving core members alone for inappropriate periods of time
- Withholding food, drink, heating and clothing
- Failing to provide access to health and social educational services
- Ignoring physical care needs
- Exposing an individual to unacceptable risk or failing to ensure adequate supervision

Social media

Interactive social media technology has revolutionised the way that people connect and interact. Facebook, Twitter, blogs, instant messaging, photo and video exchange sites are increasingly popular and provide an opportunity for people to connect with Vulnerable adults. Social media can be a great outlet and support for core members. However, it can be misused

The purpose of this policy is to provide information, advice and guidance to enable us to understand, the potential safeguarding risks of social media

Online abuse is any type of abuse that happens on the internet, facilitated through technology like computers, tablets, mobile phones and other internet-enabled devices (Department for Education, 2018; Department of Health, 2017; Scottish Government, 2014; Welsh Assembly Government, 2018).

It can happen anywhere online that allows digital communication, such as:

- social networks
- text messages and messaging apps
- email and private messaging
- online chats
- comments on live streaming sites
- voice chat in games.

Vulnerable adults can be revictimized (experience further abuse) when abusive content is recorded, uploaded or shared by others online. This can happen if the original abuse happened online or offline.

Vulnerable adults may experience several types of abuse online:

- [bullying/cyberbullying](#)
- [emotional abuse](#) (this includes emotional blackmail, for example pressuring children and young people to comply with sexual requests via technology)
- [sexting](#) (pressure or coercion to create sexual images)
- [sexual abuse](#)
- [sexual exploitation](#).

Vulnerable adults can also be groomed online: perpetrators may use online platforms to build a trusting relationship with the child in order to abuse them. This abuse may happen online or the perpetrator may arrange to meet the child in person with the intention of abusing them.

<https://learning.nspcc.org.uk/safeguarding-child-protection/social-media-and-online-safety>

Self-neglect must be responded to with care and attention to restoring the person's wellbeing. Decisions must be made in the best interest of the person and if possible based on their own wishes and values. This is outside the scope of this policy, as it does not involve a third party, however, we need to be mindful that self-harm may be a manifestation of harm which has been perpetrated by a third party and which the adult feels unable to disclose.

Steps for dealing with a safeguarding an allegation or disclosure of suspected abuse, or a safeguarding concern.

Step 1 - Alerting

Any person receiving an allegation or disclosure of suspected abuse, or having a safeguarding concern, must refer to the Safeguarding officer, who will support in documenting the allegation or concern. The safeguarding officer will notify the Person in Charge and the CEO of L'Arche Ireland; the report will be noted as part of the register of safeguarding cases. The local safeguarding officer will provide support and co-ordination of the immediate response (*see below*)

All allegations, disclosures and concerns of adult abuse will trigger a safeguarding investigation.

Assistants are not expected to verify or prove that the information is correct, only to log their concerns with the Safeguarding Officer.

All assistants and volunteers are to receive Protection of Vulnerable Adults (POVA) training *and should consider themselves responsible for alerting the Safeguarding Officer to any signs of abuse.*

Alerting or raising a concern about abuse means:

- Recognising signs of adult abuse
- Responding to disclosures
- Stepping in, where appropriate, to protect core members and preserve evidence in the immediate aftermath of an incident
- Recognising on-going bad practice
- Reporting a concern, disclosure or allegation
- Collating and recording initial information

Alerting is a necessary first step in the process of keeping people safe and empowering them for the future. Alerting through the Safeguarding officer will enable a proper assessment or investigation to be carried out.

Concerns or allegations of abuse of a vulnerable person may come to light in one of a number of ways:

- Direct observation of an incident of abuse.
- Disclosure by a core member.
- Disclosure by a relative/friend of the core member.
- Observation of signs or symptoms of abuse.
- Reported anonymously.
- Come to the attention as a complaint through the HSE or agency/organisation complaints process.

The alleged perpetrator may be, for example, a family member, a member of the public, an assistant or a volunteer.

Abuse can take place anywhere; within L'Arche, in the person's own home, a family members home or any other wider community setting.

If unsure that an incident constitutes abuse or warrants actions, the Safeguarding Officer is available for consultation. The Safeguarding Officer will keep detailed and accurate records of concerns, allegations of abuse and of any subsequent actions taken in a designated Safeguarding Case File. Each specific case file will be assigned a unique identifying code which will be marked on each relevant document.

While respecting everyone's right to self-determination, situations can arise where information is suggestive of abuse and a vulnerable person does not wish to engage. If the risk is of concern, a multi-disciplinary case conference may be appropriate to review and develop possible interventions. Legal advice may also be appropriate.

Step 2 - Initial response to allegation, disclosure or concern

The following are key responsibilities and actions for **any assistant** who has a concern in relation to the abuse or neglect of a vulnerable adult. The Safeguarding Officer will provide support where necessary.

These responsibilities must be addressed on the **same day** as the alert is raised.

Immediate Protection.

Take any immediate actions to safeguard anyone at immediate risk of harm including seeking, for example, On Call assistance, medical assistance or the assistance of An Garda Síochána, as appropriate.

Listen, Reassure and Support.

If the Core member has made a direct disclosure of abuse or is upset and distressed about an abusive incident, listen to what he/she says and ensure he/she is given the support needed.

Do not:

- Appear shocked or display negative emotions
- Press the individual for details
- Make judgments
- Promise to keep secrets
- Give sweeping reassurances

Detection and Prevention of Crime.

Where there is a concern that a serious criminal offence may have taken place, or a crime may be about to be committed, contact On Call, who will contact An Garda Síochána immediately.

Record and Preserve Evidence.

Preserve evidence through recording and take steps to preserve any physical evidence (if appropriate).

As soon as possible on the same day, make a detailed written record of what you have seen, been told or have concerns about and who you reported it to; this should be done on the incident/accident report form (*see Risk Management Framework*). Try to make sure anyone else who saw or heard anything relating to the concern of abuse also makes a *separate* written report.

The report will need to include:

- when the disclosure was made, or when you were told about/witnessed this incident/s;
- who was involved and any other witnesses, including core members and other assistants;
- exactly what happened or what you were told, using the person's own words, keeping it
- factual and not interpreting what you saw or were told;
- Any other relevant information, e.g. previous incidents that have caused you concern.

Remember to:

- include as much detail as possible;
- make sure the written report is legible and of a photocopiable quality;
- make sure you have printed your name on the report and that it is signed and dated;
- Keep the report/s confidential, storing them in a safe and secure place until needed.

Report & Inform.

Report to Safeguarding officer as soon as possible. This must be reported on the ***same day*** as the allegation, disclosure or concern is raised. The Safeguarding Officer must ensure the care, safety and protection of the victim and any other potential victims, where appropriate. He/she must check with the person reporting the concern as to what steps have been taken (as above) and instigate any other appropriate steps.

In the absence of the Safeguarding Officer, the On Call person must be contacted, and he/she will coordinate the initial response and contact the safeguarding officer.

The following must be done by the Safeguarding Officer:

Person in Charge/ residential co-ordinator must be informed of the allegation, disclosure or concern, and the Person in Charge/ Residential co-ordinator must notify HIQA and the HSE safe guarding team in writing *within three working days* on the appropriate form. The CEO of L'Arche Ireland will also be informed; notes will be kept as part of the register of safeguarding cases.

A preliminary safeguarding risk assessment should be carried out with a view to ensuring safety and abuse prevention of all core members that could potentially be affected. The preliminary risk assessment should inform the development of a safeguarding plan outlining the steps and actions needed to safeguard and protect vulnerable persons. The risk assessment and safeguarding plans should be made available to all necessary assistants and volunteers, whilst taking into account the privacy of all persons concerned.

Nothing should be done to compromise the statutory responsibilities of An Garda Síochána. If it is considered that a criminal act may have occurred, agreement on engagement with the person who is the subject of the complaint should be discussed with An Garda Síochána.

Step 3 - Preliminary Screening of allegation, disclosure or concern

The following is a guide for conducting a preliminary screening of any allegation of suspected abuse or safeguarding concern. It is the responsibility of the Safeguarding Officer to ensure that the preliminary screening takes place. At any point in the process, it may be appropriate for the Safeguarding Officer to consult with the HSE Safeguarding and Protection Team (Vulnerable Persons), the TUSLA duty social worker for children or An Garda Síochána. In such instances, *a written note must be kept of any such consultation*, and attached to the documented allegation or concern with the identifying number.

The Preliminary Screening will take account of all relevant information which is readily available in order to establish:

- If an abusive act could have occurred and
- If there are reasonable grounds for concern.

This process, if possible, ***within 3 working days*** following the report. Additional expertise may be added as appropriate.

Ensuring Immediate Safety and Support

On receipt of the report of suspected or actual abuse, the Safeguarding officer, will establish and document the following:

- What is the concern?
- Who is making the report?
- Who is involved, how they are involved and are there risks to others? What actions have been taken to date?
- Biographical information of those involved, including the alleged perpetrator where appropriate, e.g. name, gender, DOB, address, GP details, details of other professionals involved, an overview of health and care needs (and needs relating to faith, race, disability, age, and sexual orientation as appropriate).
- What is known of their mental capacity and of their wishes in relation to the abuse/neglect? (*See policy Wills and preferences*)
- Conduct a preliminary risk assessment to explore any immediate risks identified and any actions already taken to address immediate risks (*see Risk Management Framework*).
- Establish the current safety status of the victim. Arrange medical treatment if required.
- Establish if An Garda Síochána have been notified.

Information Gathering

The safeguarding officer, will be appointed to manage progress of safeguarding procedure and processes; including co-ordinating assessments between various agencies if necessary.

The core member at the centre of the allegation or concern should be contacted at the earliest appropriate time. Consent to share or seek information should be addressed at this stage. It is important to remember that in the process of gathering information, no actions should be taken which may put the person/s referred or others at further risk of harm or that would contaminate evidence.

The types of information to be gathered will be dependent on the individual circumstances of the report. Accordingly, information sources will vary depending on the nature of the referrals but some examples include:

- Gaining the views of the core member concerned.
- Checking of electronic/paper files to establish known history of core member.
- Checking if there are services already in place and liaison with those services.
- Verifying information included in the allegation or concern, and gaining further information from the person reporting the concern.
- Considering consultation with An Garda Síochána to see if they have any information relating to the core member or alleged perpetrator.

In general, through the information gathering process, the following information should be available:

- Name of core member.
- Biographical details and address/living situation.
- As much detail as possible of the abuse and/or neglect that is alleged to have taken place/is taking place/at risk of taking place (including how it came to light, the impact on the individual, and details of any witnesses).
- The views of the core member (*see communications policy*) and their capacity to make decisions (*see wills and preferences policy*).
- Details of any immediate actions that have taken place (including use of emergency or medical services).
- An overview of the core members health and care needs (including communication needs, access needs, support and advocacy needs).
- GP details and other health services/professionals.
- Details of other services/professionals involved.
- Name of main carer (where applicable) or name and contact details of organisation providing support.
- Checks made to ensure that the referral is not a duplicate referral.
- Checks made for possible aliases.
- Checks made if other services, teams or allocated workers are involved with core members alleged perpetrator/s.
- Checks made for previous concerns of abuse and/or neglect with regards to core member.
- Check for previous concerns of abuse and/or neglect with regards to the alleged perpetrator.

This information should be documented and included in the case file, with the case identifier number, for review and audit.

Step 4 - Outcome of the preliminary screening

The Person in Charge/ Residential co-ordinator and the Safeguarding officer will review the preliminary screening.

Based on the information gathered, an assessment should be made which addresses the following;

- Do the concerns referred constitute a possible issue of abuse and/or neglect?
- Where it is appropriate to do so, has the informed consent of the individual been obtained?
- If consent has been refused and the person has the mental capacity to make this decision, is there a compelling reason to continue without consent? Have the risks and possible consequences been made known to the service user?

The outcome of the Preliminary Screening may be:

- A. No grounds for reasonable concerns exist.
- B. Additional information required (this should be specified).
- C. Reasonable grounds for concern exist.

A report on the Preliminary Screening will be submitted to the CEO of L'Arche Ireland with a Recommendation regarding proposed/required actions. *This will be notified in the national safeguarding register.*

A, No grounds for reasonable concern

At that point the safeguarding case would be closed. The outcome would be explained to the core member or the person who made the alert. The risk assessment and the safeguarding plan would be taken out of practice. Assistants or volunteers implicated would be reinstated and steps put in place to address their needs. An outcome that there are not reasonable grounds for concern that abuse has occurred does not exclude an assessment that lessons may be learned and that, for example, clinical and care issues need to be addressed within the normal management arrangements.

B, Additional information required

The information that is required should be specified. It may be, for example, a report from medical practitioners or Gardai. The initial risk assessment and safeguarding plan should be reviewed and renewed until a definitive determination can be made. The delay in the outcome should be explained to the core member, person making the disclosure, and any person implicated in the case. A time frame should be set out as to when a determination can be made.

C, Reasonable Grounds for Concern Exists

In this event the person in charge/ Residential co-ordinator and the safeguarding officer would set out subsequent actions. A safeguarding risk assessment and safeguarding plan must be developed to address the concerns highlighted in the preliminary screening. Relevant external agencies would be notified and involved, if they had not already done so, and new safeguarding risk assessments and safeguarding plans would be made in conjunction with these agencies.

The outcome of the preliminary screening must be notified to the HSE Safeguarding and Protection Team (Vulnerable Persons) and actions after this point must be agreed with the HSE Safeguarding and Protection Team (Vulnerable Persons).

An Garda Síochána should be notified if the complaint/concern could be criminal in nature or if the Inquiry could interfere with the statutory responsibilities of An Garda Síochána.

An investigation by An Garda Síochána should not necessarily prevent any further inquiry. Where possible, agreement should be reached with An Garda Síochána regarding the conduct of the Inquiry and the issuing of a report. If necessary advice should be obtained in this regard.

Involvement of assistants:

In situations where the allegation of abuse arises in respect of a volunteer or assistant, L'Arche Ireland's disciplinary policies will govern the intervention of the Person in Charge with that assistants.

Involvement of a Core member:

In the event that the concerns or allegations of abuse identified another core member, the plan must ensure that relevant professional advice on the appropriate actions is sought which may include, for example, a general medical overview or a behavioural support assessment. The rights of all parties must receive individual consideration, with the welfare of the vulnerable person being paramount.

In *all* circumstances the response and the interventions of the community must be proportionate to the seriousness of the case

In the case of B and C above a safeguarding plan must be formulated in line with the Risk management framework.

Step 5 - Developing a safeguarding plan

If the preliminary screening determines that reasonable grounds for concern exist a safeguarding plan must be developed. Responsibility to ensure a safeguarding plan is developed rests with the safeguarding officer, in conjunction with the Person in Charge/ Residential co-ordinator.

The Safeguarding Plan will outline the planned actions that have been identified to address the needs and minimise the risk to individuals or groups of individuals.

The Safeguarding Plan will be further developed in line with further assessments, i.e., when the appropriate assessments/investigations have been carried out to establish levels of risk and whether the abuse or neglect occurred.

The Safeguarding Plan will be formulated in partnership with all relevant stakeholder parties.

A Safeguarding Plan will be informed by the outcome of Preliminary Screening and developed in all cases where reasonable grounds for concern exist.

Safeguarding Plan Co-ordinator

The safeguarding officer will act as a co-coordinator of information and intervention, and will arrange a full review at agreed intervals.

The safeguarding officer will report to the Person in Charge/ Residential co-ordinator and the CEO of L'Arche Ireland.

If the core member has capacity (*see Assisted decision making, wills and preferences*) and agrees to intervention, a safeguarding plan will be developed, as far as possible, in accordance with his/her wishes.

If the core member has capacity and refuses to engage with a safeguarding plan, every effort should be made to negotiate with them. Time is taken to develop and build up rapport and trust. It is important to continue to monitor the person's wellbeing.

If the core member lacks capacity, legal advice may be required to inform the decision making process.

Decisions must be made in the best interests of the core member and, if possible, based on his/her wishes and values. It is not appropriate to take a paternalistic view which removes the autonomy of the core member.

Timescale

The Safeguarding Plan should be formulated, even in a preliminary form, implemented and submitted to the Safeguarding protection team *within 21 days* of the Preliminary Screening being completed. A Safeguarding Plan Review should be undertaken at appropriate intervals and must be undertaken *within six months* of the Safeguarding Plan commencing and, at a minimum, at six monthly intervals thereafter or on case closure.

Formulating the Safeguarding Plan

The Safeguarding Plan should include, relevant to the individual situation:

- Positive actions to safeguard the person/s at risk from further abuse/neglect and to promote recovery.
- Positive actions to prevent identified perpetrators from abusing or neglecting in the future.

The Safeguarding Plan should also include consideration of what triggers or circumstances would indicate increasing levels of risk of abuse or neglect for individual/s and how this should be dealt with.

Register of safeguarding cases

In each safeguarding case, where an allegation or concern is made, it is important that documents and notes are uniquely identifiable whilst safeguarding the privacy of all persons involved. It is also important so that basic information on the allegation or concern can be held both locally, within individual communities, and nationally, without compromising privacy.

For that reason, each notification will be assigned a safeguarding number, linked to a national database, which will be recorded on each document and on the safeguarding case file.

A database of safeguarding cases will be held nationally by L'Arche Ireland in order to document basic information from all the communities in the Republic of Ireland.

- The safeguarding case number.
- The Local Safeguarding Officer conducting the case.
- Date allegation or concern was raised.
- Date preliminary screening was completed.
- Outcome of preliminary screen (*A, B or C*).
- Date of completion of safeguarding plans (*if necessary*)
- Date of closure of the safeguarding case.

A similar database will be held locally by the Safeguarding officer, only documenting basic information on local safeguarding cases.

The register is held to ensure due diligence and awareness of ongoing safeguarding issues within communities as well as nationally. *At no point* should individuals involved in safeguarding cases be identifiable through the register only.

Individual safeguarding case files will be held locally by the Safeguarding Officer, and transferred to the core member's personal files upon the closure of the case.

Local Designated Safeguarding Officers

Each individual community is committed to ensuring that this policy is implemented locally to the highest possible standard, and that all assistants and volunteers are trained and supported in the safeguarding and protection of vulnerable adults. Each community has 1-2 (depending on size) designated Local Safeguarding Officers with responsibility for safeguarding locally. The names of the safeguarding officers will be displayed in each house and in all the day service/workshop areas. Rostering will be managed in such a way so that one safeguarding officer is available *at all times* to respond to allegations, disclosures or concerns, and to instigate a safeguarding case where necessary.

Name of designated safeguarding officer 1:

Name of Designated Safeguarding officer 2:

National Safeguarding group and safeguarding officer training

L'Arche Ireland remains committed to supporting individual communities develop the capacity to implement safeguarding best practices locally. This means that L'Arche Ireland will source and provide appropriate safeguarding training for the designated safeguarding officers and the Persons in Charge. L'Arche Ireland will also foster and maintain strong professional links to external agencies, such as the HSE Safe guarding teams or Tusla, in terms of the appropriate sharing of information and developments in best practice.

L'Arche Ireland recognises that designated safeguarding officers may need support to build their capacities and manage safeguarding cases. For this reason, L'Arche Ireland will develop a formal network of designated safeguarding officers, which will meet regularly (at least bi-annually) to discuss any issues or changes to best practice, develop safeguarding capacity, and be a platform for collaborative learning. This meeting will be chaired by the CEO L'Arche Ireland who will be responsible for arranging the meeting, developing an agenda, and ensuring implementation of resulting actions.

Responsibilities under Children's First

L'Arche Ireland is committed to adhering to the safeguarding framework 'Children First'. All designated Safeguarding Officers should be aware of child protection framework and the responsibilities set out within that framework. L'Arche Ireland is committed to upholding child

protection best practice within our residences and day services, and to liaising with external agencies in all matters regarding child protection as per 'Children's First Guidelines'.

Historical allegations of abuse will be referred to TUSLA under the Children First Guidelines.

Whistle Blowing

Whistle blowing is the popular term used to describe when someone within an organisation contacts someone outside their normal operational management to share information about a matter, which is concerning them. In most cases assistants and volunteers will be willing to share their concerns with their house leader or Person in Charge, however in some cases if they believe they will not be taken seriously or because they feel the house leader or Person in Charge is the cause of their concerns then it is important that there is another channel available to them. So long as it is not motivated by malice, then whistle blowing is viewed as a responsible and vital safety valve

Sources of support in respect of whistle blowing would be:

- HSE
- Gardai
- HIQA
- CEO of L'Arche Ireland
- L'Arche International : <https://www.larche.org/en/prevention-and-safeguarding>

Guide for assistants and volunteers

As an assistant or volunteer you may hesitate to report concerns, allegations or disclosures of abuse for a number of reasons:

- You may not feel you have enough information and are not sure if your concerns are valid
- You may not be sure what you are witnessing is actually abuse or serious enough to be called abuse
- You may believe that action taken in response to possible abuse may be worse for the individual than the initial incident
- You may feel you are over-riding the wishes and/or the interests of the abused person
- Your house leader/project leader may be involved
- You may be unsure which form to use.

Despite any fears you may have you must report all concerns or allegations and disclosures of abuse. If you have concerns or have been told about something you suspect is abuse, discuss it with the safeguarding officer or the Person in Charge/ Residential co-ordinator and they will help you. Failure to do so will result in disciplinary action.

All assistants and volunteers will be introduced to policy and procedures within their probationary period and regularly thereafter.

All safeguarding officers should ensure that assistants regularly re-read Policy and Procedures, and record evidence of this taking place on the 'Sign off' sheet.

Appendix 1 Investigation process

Alerting and initial response

- Safeguarding officer notified of concern, allegation or disclosure. External agencies informed, where necessary.
- All assistants members and volunteer assistants act to ensure immediate protection of victim and/or other vulnerable persons.
- Preliminary risk assessment and safeguarding plan by safeguarding officer

Preliminary screening

- Investigation conducted by safeguarding officer to ascertain...
 - ❖ *If an abusive act could have occurred*
 - ❖ *If there are reasonable grounds for concern*

Within three working days

No grounds for concern exist

- Safeguarding case closed.
- Communicated to all persons involved.
- Support put in place for all persons involved.

Additional info required

- The info needed should be specified.
- Timeframe set out for the length of the investigation.
- All persons informed formally.
- Risk assessments and safeguarding plans reviewed and renewed.

Reasonable grounds for concern exist

- Person in charge and the safeguarding officer would set out subsequent actions
- Relevant external agencies would be notified and involved, if they had not already done so.
- New safeguarding risk assessments and safeguarding plans would be made in conjunction with external agencies.

Appendix 2 Safeguarding Register

Case Identifier number	Safeguarding officer	Date of allegation/ concern	Date of preliminary screening	Outcome of preliminary screen	Safeguarding plans and risk assessment	External agencies involved	Date of case closure
		Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> date of concern Date _____			Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> Safeguarding plan Yes <input type="checkbox"/> No <input type="checkbox"/> Date _____		
		Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> date of concern Date _____			Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> Safeguarding plan Yes <input type="checkbox"/> No <input type="checkbox"/> Date _____		
		Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> date of concern Date _____			Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> Safeguarding plan Yes <input type="checkbox"/> No <input type="checkbox"/> Date _____		
		Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> date of concern Date _____			Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> Safeguarding plan Yes <input type="checkbox"/> No <input type="checkbox"/> Date _____		
		Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> date of concern Date _____			Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> Safeguarding plan Yes <input type="checkbox"/> No <input type="checkbox"/> Date _____		
		Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> date of concern Date _____			Risk assessment yes <input type="checkbox"/> No <input type="checkbox"/> Safeguarding plan Yes <input type="checkbox"/> No <input type="checkbox"/> Date _____		

Appendix 4

Safeguarding contact list