

## CVH Vulnerable Adult Safeguarding Policy

| Date approved by BOD | Date of last review | Date for next review |
|----------------------|---------------------|----------------------|
| September 2022       | September 2024      | 2026                 |

### Purpose

CVH seeks to uphold the rights of vulnerable adults to confidential support and information as victims of crime. We are committed to the safeguarding of vulnerable adults from abuse and neglect. We fully adhere to the HSE Safeguarding Vulnerable Persons at Risk of Abuse National Policy and Procedures and adopt a no tolerance approach to any form of abuse.

### Designated person

The Designated Person for Safeguarding of Vulnerable Adults at CVH is Michele Puckhaber.

### Definitions

In line with Section 2 of the National Vetting Bureau (Children and Vulnerable Persons) Act, 2012 we define a vulnerable person as *'a person, other than a child, who—*

*(a) is suffering from a disorder of the mind, whether as a result of mental illness or dementia,*

*(b) has an intellectual disability,*

*(c) is suffering from a physical impairment, whether as a result of injury, illness or age, or*

*(d) has a physical disability,*

***which is of such a nature or degree—***

*(i) as to restrict the capacity of the person to guard himself or herself against harm by another person, or*

*(ii) that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.'*

In accordance with the Health Information and Quality Authority's National Standards for Adult Safeguarding (2019), we define abuse as *'a single or repeated act, or omission, which violates a person's human rights or causes harm or distress to a person. The main areas of abuse which cause people harm are physical abuse, emotional abuse, sexual abuse, neglect of the person and financial abuse. It is important to note that this is not an exhaustive list.'*

Similarly, we define neglect as: *'whenever a person withholds, or fails to provide, appropriate and adequate care and support which is required by another person. It may be through a lack of knowledge or awareness, or through a failure to take reasonable action given the information and facts available to them at the time.'*

### 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 because of disclosing abuse.
- -A lack of awareness that what they are experiencing is abuse.
- -A lack of clarity about who to speak to
- -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**

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) Do not express any opinions about the alleged abuser to the person reporting to you.
- (i) Explain and make sure that the vulnerable adult understands what will happen next.

### **Reporting procedures**

If abuse is disclosed by a vulnerable adult or if welfare concerns arise as a result of contact with a vulnerable adult, a record of the conversation will be made. This record will include the name and contact details of the service user, the date on which contact was made with CVH, details of the disclosure and any actions taken by CVH. This record will be kept on our electronic Vulnerable Adults Log which is password protected and accessible only to CVH staff members. The Designated Officer in CVH will be informed immediately.

Under no circumstances will a vulnerable adult be left in a situation which exposes him or her to harm or the risk of harm. In the event of an emergency where we think a vulnerable adult is in immediate danger, we will contact An Garda Síochána.

If we do not believe the service user is in immediate danger but are still concerned about his/her safety and wellbeing, we will contact the relevant HSE Safeguarding and Protection team (see Addendum 1)).

### **Record-keeping**

Data contained in our Vulnerable Adults Log will be stored for three years from last date of contact with the service user. After this three-year period, the data will be deleted.

### **Confidentiality**

All information regarding concern for a vulnerable adult will 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.

### **Training and recruitment**

All staff members and volunteers are vetted in line with CVH's Garda Vetting Policy.

All staff and volunteers will read the Vulnerable Adult Safeguarding Policy as part of their induction and be trained on their obligations within.

### **Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act, 2012**

CVH 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.

## **Addendum 1.**

### **HSE contact details**

The main provider of services to safeguard in Ireland is the HSE which operates an Adult Safeguarding Policy within older persons services and services for people with disabilities. The National Safeguarding Office is based in Limerick ([safeguarding.socialcare@hse.ie](mailto:safeguarding.socialcare@hse.ie) / 061 461 358).

There are nine regional Safeguarding and Protection Teams covering all community health regions in the country. The teams are tasked to assess allegations of abuse or neglect and to intervene to address concerns (being mindful of the will and preferences of the adult at risk of abuse). The local contact details for each of the nine regional teams are:

Sligo, Leitrim, Cavan, Monaghan and Donegal: [safeguarding.cho1@hse.ie](mailto:safeguarding.cho1@hse.ie) / 071 983 4660

Roscommon, Galway and Mayo: [safeguarding.cho2@hse.ie](mailto:safeguarding.cho2@hse.ie) / 091 748 432

Clare, Limerick, North Tipperary and East Limerick: [safeguarding.cho3@hse.ie](mailto:safeguarding.cho3@hse.ie) / 067 464 70

Cork and Kerry: [safeguarding.cho4@hse.ie](mailto:safeguarding.cho4@hse.ie) / 021 492 7550

South Tipperary, Carlow, Kilkenny, Waterford and Wexford: [safeguarding.cho5@hse.ie](mailto:safeguarding.cho5@hse.ie) / 056 778 4325

Wicklow, Dun Laoghaire and Dublin South East: [safeguarding.cho6@hse.ie](mailto:safeguarding.cho6@hse.ie) / 01 216 4511

Kildare, Wicklow, Dublin West, Dublin South City and Dublin South West: [safeguarding.cho7@hse.ie](mailto:safeguarding.cho7@hse.ie) / 045 920 410

Laois, Offaly, Longford, Westmeath, Louth and Meath: [safeguarding.cho8@hse.ie](mailto:safeguarding.cho8@hse.ie) / 01 691 4632

Dublin North, Dublin North Central and Dublin North West: [safeguarding.cho9@hse.ie](mailto:safeguarding.cho9@hse.ie) / 01 625 0447.

## CVH Child Safeguarding Policy

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### Purpose

CVH's service is directed at adults, defined under Section 3 of the Children Act, 2001 as *'any person of or over the age of 18 years'*. As a result, we do not come into regular contact with children and so do not qualify as a *'relevant service'* under the Children First Act, 2015.

On rare occasions, children contact us by phone, text, email and/or webchat. When this occurs, staff members take over responsibility for communicating with the child and the child is referred onto more suitable services such as Childline and Teenline.

Before this referral can take place, however, sometimes the initial contact from the child gives rise to protection and welfare concerns. This document outlines the procedure followed by staff members of CVH when such a situation arises.

### Designated person

The Designated Person for Safeguarding at CVH is Michele Puckhaber.

### What do child protection and welfare concerns mean?

Child protection and welfare concerns arise when we have any knowledge, belief, or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. In accordance with Section 2 of the Children First Act, 2015 *"harm" means, in relation to a child— (a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare, or (b) sexual abuse of the child.'*

### How to respond to a disclosure of abuse

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

- (a) Take what the child says seriously.
- (b) React calmly, as over-reaction may intimidate the child and increase any feelings of confusion or guilt that they may have.
- (c) Reassure the child 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 child understands what will happen next.

### **Making a report**

CVH will always make a report to Túsła when we have any knowledge, belief, or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. The report can be made by any member of CVH staff. The Designated Person should be informed about the need for a report and is ultimately responsible for ensuring that it is made.

If we believe the child is in immediate danger, we will phone the Gardaí immediately to alert them to the situation. We will also make a verbal report to Túsła without delay. We will follow this up with a written Child Protection and Welfare Report Form (CPWCF) which we will submit through Túsła's secure web portal within three days.

If we do not believe the child is in immediate danger, but we still have concerns surrounding the protection and welfare of the child, we will contact Túsła. In this situation, our manner of contact with Túsła will depend on the amount of information we possess about the child.

If we possess certain basic information about the child, namely his/her age, location and contact details, we will submit a Child Protection and Welfare Concern Form through Túsła's secure web portal.

If we do not possess this basic information, we will contact a Túsła social worker informally to discuss our concerns and seek advice on how best to proceed in the situation (see <https://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker/> for contact details).

### **Record-keeping**

If any protection or welfare concerns arise, we will record the date, contact information for the child, details of the situation, and any actions that we took. This will be recorded on our electronic Child Protection and Welfare Concerns Log which is password protected and accessible only to CVH staff members.

We will store this data for three years from last date of contact with the child. After this three-year period, the data will be deleted.

### **Confidentiality**

All information regarding child protection and welfare concerns will be shared on a 'need to know' basis in the interests of the child concerned. The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection.

### **Training and recruitment**

All staff and volunteers will read the Child Safeguarding Policy as part of their induction and be trained on their obligations within.

All staff members and volunteers are vetted in line with CVH's Garda Vetting Policy.

### **Retrospective abuse**

In cases where an adult discloses to us that he/she was a victim of abuse as a child, we will discuss Túsla's Retrospective Abuse Report with the service user and offer to submit this form on their behalf. We seek to empower the service user to make a report themselves, either to Túsla or to the Gardai. However, we equally respect a service user's decision not to make a report.

If we make a Retrospective Abuse Report to Túsla, we will record this on our electronic Retrospective Abuse Report Log which is password protected and accessible only to CVH staff members. We will store this data for three years from last date of contact with the service user. After this three-year period, the data will be deleted.

### **Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act, 2012**

CVH 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.