

Augustinian Province of Ireland

Interim Safeguarding Vulnerable Adult Policy and Procedures



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Foreword

The Augustinian Province of Ireland, endeavouring to live according to the Gospel, is committed to ensuring the safety and welfare of all its friars and any adult/s, who might not, for one reason or another, be in a position to safeguard themselves.

In recent years, we have become more aware of the need to establish and put in place policies and procedures to ensure the welfare of all such friars and adults at risk of abuse. In Ireland, Garda/Police vetting is a legal requirement for anyone working with vulnerable adults. In May, 2019, Pope Francis, in his Apostolic Letter, “*Vos Estis Lux Mundi*”, talks about the importance of protecting vulnerable people and defined a vulnerable person as “*any person in a state of infirmity, physical or mental deficiency, deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offence*”. In June 2019, the HSE published a “Final” Draft HSE Adult Safeguarding Policy.

The Augustinian Province of Ireland now wish to put in place an Interim Policy and Procedure Document on working with Vulnerable Adults.

This Interim Policy has two key objectives:

1. To set out the basic principles and best practices to be followed by all Augustinian priests, brothers, students, staff and volunteers
2. To raise awareness among all the Augustinian community involved in the ministry of the Church, of any abuse of adults of risk of harm and how to respond.

We will continue to review this Interim Policy and Procedure Policy Document in accordance with legislative, HSE policy changes and best practice developments.

I would like to take this opportunity to extend our thanks to Mr. Tony Mc Clusker, Principal Social Worker, HSE Adult Safeguarding Team, Dublin South East for his assistance in reviewing this Interim Safeguarding Vulnerable Adult Policy Document and to all who are involved in safeguarding and ministering to adults at risk of harm.



Fr John Hennebry OSA
Prior Provincial

Section 1 - Introduction

The Augustinian Province of Ireland recognises that there are many people with whom church personnel have contact, who may require special care and attention. The Irish Augustinians value and encourage the participation of vulnerable adults in all our liturgies and activities that enhance their spiritual, physical, emotional, intellectual and social development. We believe that all church personnel, including priests, brothers, students, staff and volunteers must carry out their ministry respecting the rights of the individual in line with gospel values and human rights legislation.

The Irish Augustinian Province recognises and upholds the dignity and rights of vulnerable adults and is committed to safeguarding all our members. The guidance set out in this document provides a framework of how it is recommended that the Augustinian Order ministers to and safeguards vulnerable adults. It identifies what we mean by the term, vulnerable adults and highlights values and principles which should underpin such necessary work.

These guidelines apply to all Augustinian clergy, brothers, students, visiting clergy, staff and volunteers, and adhere to current best practice and guidance in the Republic of Ireland. They should be read in conjunction with the Augustinian *Safeguarding Children Policy and Procedure Handbook (2020)* and the *Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2016*.

The Augustinian Order, through these guidelines, sets out to protect vulnerable adults from harm and exploitation and to uphold their rights by acting in their best interests and with their consent.

This Interim Policy and Procedures document will be reviewed following the first year of operation and the Irish Augustinians will continue to review it, in accordance with any legislative, changes and/or key HSE policy changes and/or best practice developments.

Section 2 - Safeguarding Vulnerable Adults Statement and Guiding Principles

The Augustinian Province of Ireland recognises that everyone has a fundamental right to be safe. The Irish Augustinians has a special responsibility towards all vulnerable people who are members of our faith community and is committed to safeguarding as an integral component of the life and ministry of the church.

What is vulnerable adult safeguarding?

Vulnerable adult safeguarding in the Augustinian Order consists of a set of principles and practice guidelines that inform the work of all church personnel with adults at risk of harm and in need of protection. It describes how we respect the rights of vulnerable adults and the steps taken to safeguard them from abuse. These procedures also provide guidance to recognise and respond to concerns, if a vulnerable adult has been abused, is being abused or is at risk of abuse.

Aim of the Policy

- To outline the commitment to adult safeguarding.
- To ensure that safeguarding procedures for adults who are at risk of harm and/or in need of protection are in place.
- To ensure that all church personnel working within the Augustinian Order understand their role and responsibilities in safeguarding vulnerable adults.

Scope of the Policy

Within this Policy the term “safeguarding” is used in its widest sense, that is, to encompass both activity which prevents harm from occurring in the first place and activity which protects adults at risk where harm has occurred or is likely to occur without intervention.

This Policy relates to vulnerable adults and this term will be used throughout this document. However, this term does not imply weakness on the part of the adult and the concept of ‘adult at risk of harm’ and an ‘adult in need of protection’ must be considered.

Underpinning Principles

The principles which underpin our work with vulnerable people are based on gospel values and are rooted in respect for the rights of vulnerable adults who are entitled to:

- To live in safety and be free from abuse or fear of abuse by others
- Be treated with respect, dignity, kindness and understanding
- To be provided with information and to support them to make informed choices
- To confidentiality and their information managed with sensitivity and discretion
- Be supported to be independent and make their own decisions
- Be supported in receiving the sacraments and spiritual direction
- Be protected from all forms of harm and exploitation
- Have their emotional, physical and sexual integrity respected
- Have their ethnicity and gender respected

- Have allegations of abuse responded to in a timely manner and investigated
- Have their consent sought and taken into consideration in notifying civil authorities
- Be offered guidance in seeking help and counselling

Section 3 - Safeguarding Vulnerable Adults, Legal and Policy Framework

Vulnerable adults are protected against criminal acts in the same way as any other person. Where there is reasonable suspicion that a criminal offence may have occurred, it is the responsibility of An Garda Síochána to investigate and make decisions about what action should be taken. An Garda Síochána should always be consulted about criminal matters.

Legal framework – Republic of Ireland

Key relevant adult safeguarding legislation within the **Republic of Ireland** is as follows:

- National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.
- Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.
- Assisted Decision Making (Capacity) Act 2015 (as referred to previously)

Definition of a Vulnerable Adult

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016 (Republic of Ireland) defines a vulnerable adult as follows:

"Vulnerable Person" means 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 as to restrict the capacity of the person to guard himself or herself against harm by another person, or that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.

The *Criminal Justice (Withholding of Information of Offences against Children and Vulnerable Persons) Act 2012* provides a similar definition of Vulnerable Person” in the following terms:

"Vulnerable Person" means a person (including, insofar as the offences specified at paragraph 8 of Schedule 2 are concerned, a child aged 17 years old),

- a) who is suffering from a disorder of the mind, whether as a result of mental illness or dementia, or
- b) has an intellectual disability which is of such a nature or degree as to severely restrict the capacity of the person to guard himself or herself against serious exploitation or abuse, whether physical or sexual, by another person, or
- c) who is suffering from an enduring physical impairment or injury which is of such a nature or degree as to severely restrict the capacity of the person to guard himself or herself against serious exploitation or abuse, whether physical or sexual, by another person or to report such exploitation or abuse to the Garda Síochána or both.

Under this Act, it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person.

The rights of vulnerable adults to live a life free from neglect, exploitation and abuse are protected under the Human Rights Act 1998. Specifically, a vulnerable adult's right to life is protected under Article 1; their right to be protected from inhuman and degrading treatment under Article 3; and their right to liberty and security under Article 5.

Policy Guidance

The HSE Safeguarding Vulnerable Persons at Risk of Abuse, National Policy and Procedures (2014) considers a Vulnerable Person as an adult who is restricted in capacity to guard himself/herself against harm or exploitation and provides for reporting of such concerns. This may arise as a result of physical or intellectual impairment and risk of abuse may be influenced by both context and individual circumstances.

The HSE published a “Draft” HSE Adult Safeguarding Policy, (2019) but this has not yet been implemented. In this Draft Policy Document, it uses the term “adult at risk of abuse” in preference to “vulnerable adults”.

The protection of vulnerable adults provided is regionally based and delivered by HSE Safeguarding and Protection Teams.

Church Guidance

In May 2019, Pope Francis issued an Apostolic Letter, “*Motu Proprio - Vos Estis Lux Mundi*”. In his letter, he includes a definition of a vulnerable person, as “any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offence”.

How does one know if a person “fits” the definition of a vulnerable adult?

Church personnel may encounter vulnerable adults in a range of situations and locations. A vulnerable person could be a parishioner, someone who has once off contact with church personnel, a member of the Province or a lay person working in a paid or voluntary capacity.

An adult can be vulnerable at one time in his or her life but not at another time, for example a person can find him/herself in a situation where they feel vulnerable following a bereavement or an accident. However, provided that they retain capacity to make decisions and defend themselves, they do not fit the definition of a vulnerable adult.

In some instances, it may be clear, for example, people whose capacity is limited due to living with dementia or an intellectual disability will always be considered as a “vulnerable adult”. However, in other situations it is not as clear. A frail older person living alone may be considered vulnerable but still retain their capacity to make decisions. It is important to protect people from harm whilst respecting their personal autonomy.

Consent and Capacity

Consent is a process; it results from understanding through dialogue and the provision of information. It may be expressly given (i.e. requesting assistance) or, alternatively, it may be signalled by a person’s conduct (i.e. participation or engagement in an activity or event). Generally, the method of gaining consent is likely to be influenced by the seriousness of what

is being proposed. More serious decisions and the consequences of making decisions might require that the vulnerable adult is asked to sign a consent form.

Assisted Decision Making (Capacity) Act 2015 (awaiting fully implementation)

The Augustinian Order endeavours to uphold the principles outlined in the Assisted Decision Making (Capacity) Act 2015 whilst acknowledging it has yet to be fully implemented.

The following are the principles of the proposed legislation:

- It is presumed that the person has capacity to make their own decisions, unless it is proved otherwise.
- Everyone has the right to be supported to make decisions.
- An unwise decision does not indicate a lack of capacity.
- A person has the right to have accessible information in relation to a particular decision.
- A person has the right to have more time to understand the information.
- Information should be provided in a range of different formats to maximise understanding.

What is Capacity?

Capacity is defined as the person's ability to understand, at the time that a decision has to be made, the nature and consequences of the decision to be made by him or her in the context of the available choices at that time.

Functional Assessment of Capacity

The functional test states that a person is unable to make a decision for himself if he is unable:

- To **understand** the information relevant to the decision.
- To **retain** that information for long enough to make a choice.
- To **use or weigh** that information as part of the process of making the decision.
- To **communicate** their decision (whether by talking, sign language, using technology or any other means).

Gaining consent from an adult

It is important that church personnel understand the issues of consent and capacity in order to establish an individual's ability to give meaningful consent. Consent is a clear indication of a willingness to participate in an activity or to accept a service. The vulnerable adult may signal consent verbally, by gesture, by willing participation or in writing. In certain situations, the need for consent may be overridden e.g. to meet a legal responsibility to report or prevent immediate or significant harm either to the adult or the general public. As far as possible, adults should be supported to communicate their concerns to relevant agencies.

Church personnel should remember that no one can give, or withhold consent on behalf of another adult, unless special provision has been made for this, usually in law (i.e. power of attorney/ward of court)

The type of services and activities offered by the Augustinian Province of Ireland to vulnerable adults would be unlikely to require written consent. However, there may be occasions when

written consent is required and if Augustinian clergy, brothers, students have concerns about consent, e.g. as to its validity, they should always seek advice from their Prior/Superior /Provincial and/or the Designated Liaison Person (DLP)/Deputy DLP in the Safeguarding Office. In such cases the DLP/Deputy DLP will, in turn, seek professional advice on the matter from the relevant statutory authorities, notably the HSE, Adult Safeguarding Teams. Individuals always have the right to consult directly with statutory agencies. The important issue is to ensure that the consent given is valid. The consent of a vulnerable adult is considered valid only if:

1. He/she has the capacity to consent, i.e. he/she can understand and weigh up the information needed to make the decision.
2. Sufficient information has been given to him/her, in an appropriate way, on which to base the decision.
3. Consent has been given on a voluntary basis that is free from coercion or negative influence.

If any of these three factors are absent, consent cannot be considered to be valid. Circumstances may arise where the vulnerable adult is unable to make decisions for themselves, for example, a learning disability, a severe mental health issue, impaired functioning as a result of a stroke or some form of dementia or any brain injury or trauma which could severely affect his/her intellectual functioning. In some situations, mental capacity, in terms of decision making in respect of treatment, care, care provision, welfare and/or financial assets affairs may be impaired. In other situations, it may be that additional supports i.e. additional time, accessible information in a range of formats, or an advocate are available to support a vulnerable adult in the decision-making process and provision of consent.

Legal protections may need to be put in place if someone such as a family member, an advocate or health professional has to make decisions for a vulnerable adult who has been deemed to lack capacity.

If Augustinian church personnel have any doubts or concerns about whether the consent of a vulnerable adult is valid, or whether he/she has the capacity to do so, they should bring this to the attention of the Augustinian DLP/Deputy DLP in the Safeguarding Office, who will consult with the relevant statutory authorities.

Augustinian guidelines will ensure the welfare of "Vulnerable Adults" by:

- Making the welfare of the vulnerable adult a central element of safeguarding.
- Ensuring that this policy is supported by robust procedures.
- Ensuring adequate care plans are in place for vulnerable adults who are residents in Augustinian property.
- Implementing the existing procedures for safe recruitment and selection of church personnel to work with vulnerable adults.

- Ensuring that a robust code of behaviour for all church personnel is in place and is adhered to.
- Have clear procedures for recognising and reporting vulnerable adult concerns and allegations of abuse.
- Managing personal information and sensitive data, confidentiality and the sharing of information in line with legal requirements.
- Providing information/training for all church personnel on safeguarding vulnerable adults.
- Establishing and maintaining links with statutory and voluntary agencies/organisations to ensure "best practice" throughout the province.

Section 4 - Recruitment and Selection, Training, Support & Supervision

Recruitment and Selection

The Augustinian Order, in accordance with legislative requirements and best practice, applies a thorough and clearly defined method of recruiting staff and volunteers. A core element of adult safeguarding in the Augustinian Order is the recruitment, selection and management of personnel.

The Irish Augustinians has a responsibility to create a safe environment for vulnerable adults and they do this by ensuring;

- Only suitable people are recruited to work or volunteer with vulnerable adults.
- All church personnel have knowledge of their roles and responsibilities to safeguard vulnerable adults and to respond to adult safeguarding concerns in line with the Augustinian safeguarding vulnerable adult policy
- Line management structures are in place to ensure support and supervision is available to ensure codes of behaviour are being adhered to and church personnel are supported and protected to report adult safeguarding concerns.

The recruitment procedure requires that:

- Positions are advertised widely
- There is a job description outlining the key skills and abilities required for the role.
- There is an application Form that covers past experience/work/volunteering.
- There is a declaration form requesting information on previous convictions and investigations. Applicants are also asked to declare any reasons if they may be considered unsuitable to work with vulnerable adults.
- There is a formal interview process appropriate to the role and tasks, involving a set criteria and scoring process.
- There are written references sought from two people (not relatives, which are followed up verbally).
- There is an identification check.
- Garda Vetting, where appropriate.
- Selected candidates are required to have read and sign to state they agree to adhere to the Interim Augustinian Order Safeguarding Vulnerable Adult policy.

The requirements listed apply to all Augustinian clergy, brothers, students, staff, students and volunteers who, through their ministry have regular and necessary contact with children and vulnerable adults.

Training

Induction

The Irish Augustinian Province recognises that a thorough induction process is integral to good organisational practice. Induction should take place when personnel take up a new role and should include:

- Information on Augustinian policies, procedures, guidelines, activities and ethos of the Irish Augustinian Order.
- Expectations and boundaries within which they should operate.
- Awareness-raising and training on the recognition, recording and reporting of abuse.

A timeframe should be set within which induction should be completed. New personnel should be provided with the opportunity to read relevant safeguarding documentation, know where to access the documents for reference purposes and where they can access appropriate supports

Adult Safeguarding Training

Personnel should receive training appropriate to the nature of their work and the type and level of contact they may have with vulnerable adults. As there is a responsibility on all church personnel to protect vulnerable adults from harm and respond to concerns, all personnel should receive basic information on the Interim Safeguarding Vulnerable Adult Policy, 2020.

Those personnel that have direct contact with vulnerable adults should engage in face to face training in order to ensure that these procedures are understood, followed and principles embedded in day to day practice. Adult safeguarding training should include a basic awareness and understanding of the factors, which contribute to vulnerability, the possible signs of abuse, responding when abuse is disclosed or suspected, the meaning of confidentiality in the context of adult safeguarding, recording and reporting procedures. The training should also be reviewed and updated in line with changing legislation and practice.

Line Management Structure and Support

Good practice indicates that support and supervision are beneficial to enable personnel to feel supported in the work which they do and to ensure that they are carrying out their duties to the required standard. These mechanisms can also be used to support personnel to discuss concerns that may arise through their work and to follow the appropriate procedures.

Section 5 - Code of Behaviour for all Church Personnel

For all church personnel coming in contact directly or indirectly with vulnerable adults, it is critical that boundaries are respected and that appropriate work practices are established which always place the needs and well-being of the vulnerable adult as the primary concern. A balance needs to be struck between the right to protection and the need to allow appropriate interaction between an individual and his/her priest, brother, student, lay minister, staff and/or volunteer.

It is important that all those carrying out ministries should have clearly defined codes of behaviour. The code of behaviour outlines the expected behaviour for all church personnel, in order to respect the rights of vulnerable adults and protect them from harm.

All church personnel must:

- Adhere to the protocols and guidelines of any organisation whose premises they are ministering within.
- Be accountable for their actions, for example, willing to give an account and explanation for their actions.
- Work in a manner that is open and transparent.
- Treat all vulnerable persons equally and fairly.
- Respecting the rights and wishes of vulnerable adults.
- Be patient and listen.
- Demonstrate respect for the views and wishes of all individuals.
- Value vulnerable adults as individuals and adopt a person-centred approach.
- Encourage vulnerable adults to participate and fulfil their potential.
- Promote independence and choice of vulnerable adult while protecting them as far as possible from danger and harm.
- Develop a culture where people can speak openly about anything that may be worrying them.
- Be aware of the difficulties posed by language barriers and other communication difficulties.
- Respect the dignity of each individual and their right to personal privacy.
- Recognise that particular care is required when you may be discussing sensitive issues with vulnerable adults.
- Avoid situations that might compromise your ministry with vulnerable adults, and which are unacceptable within a relationship of trust. This rule should apply to all such behaviours including those which would constitute an illegal act.
- Challenge and report abusive or potentially abusive behaviour.
- Respect the religious, cultural, racial and sexual orientation of the vulnerable adult and be open to and aware of diversity in their beliefs and practices and those of their families.
- Where appropriate, understand and implement a vulnerable adult care plan.

- Only engage in personal care of a vulnerable adult, if qualified to do so and in line with their personal care plan.
- Provide an example of good conduct you wish others to follow.
- Use social media appropriately and in line with the Augustinian social media policy. Report any concerns regarding the misuse of social media.
- Operate within the Augustinian Province of Ireland policies and procedures.

It is the responsibility of all church personnel to ensure that the code of behaviour is adhered to and to report breaches of the code.

Church personnel should avoid:

- Spending excessive amounts of time alone and away from others with vulnerable adults.
- Taking vulnerable adults to their home.
- Taking vulnerable adults alone in their car, when to do so may pose a risk to either party.

Church personnel must never:

- Physically or emotionally abuse or exploit a vulnerable adult.
- Have a sexual or exploitative relationship with a vulnerable adult.
- Be under the influence of alcohol or drugs while engaging in church/parish activities.
- Become involved in either using the vulnerable adult's money on his/her behalf or in giving the vulnerable adult advice in use of his/her money.
- Use language make suggestions or offer advice, which is inappropriate, offensive or abusive.
- Do things of a personal nature for a vulnerable adult that he/she is capable of doing for his/herself or are the responsibility of their family or carer.
- Act in ways intended to shame, humiliate, belittle or degrade.
- Discriminate against the person on the basis of religion, race, culture, gender or sexual orientation.
- Form inappropriate relationships with vulnerable adults.
- Gossip about personal details of vulnerable adults and their families.
- Photograph or video a vulnerable adult.

All church personnel must abide by the code of behaviour. Any person who is concerned about a possible breach of this code of behaviour must discuss the matter with their line manager and with the Augustinian DLP/Deputy DLP in the Safeguarding Office. Breaching the code of behaviour is a serious issue which will be investigated and may result in disciplinary action and possibly dismissal.

Section 6 - External Groups

External Groups

External, independent groups and/or organisations, seeking to hire or lease property owned by the Augustinian Order, to deliver their own service/activity involving vulnerable adults, are solely responsible for ensuring they have their own Safeguarding Vulnerable Adults procedure in place.

All external groups must meet certain requirements before an agreement of lease or rental of property is made. These requirements include proof of appropriate insurance and if relevant, confirmation they have a child safeguarding statement and/or a safeguarding vulnerable adult policy in place.

The Augustinian Interim Safeguarding Vulnerable Adults Policy and Procedures can be made available to external groups on request.

Section 7 - Recognising Harm of Vulnerable Adults

What is abuse?

The HSE Safeguarding Vulnerable Persons at Risk of Abuse and Neglect National Policy, (Draft 2019) defines abuse as single or repeated act, or omission, which violates a person's human rights or causes harm or distress to a person. For the purposes of this policy, abuse is understood to mean abuse by a third party".

There are several forms of abuse, any or all of which may be perpetrated as the result of deliberate intent, negligence or lack of insight and ignorance. A person may experience more than one form of abuse at any one time. Abuse can be difficult to identify and many present in many forms. No one indicator should be seen as conclusive in itself of abuse. All signs and symptoms must be examined in the context of the person's situation and family circumstances.

The following are the main categories/types of abuse and indicators:

TYPE OF ABUSE	EXAMPLE OF INDICATORS
<p>Physical – The use of physical force, the threat of physical force or mistreatment of one person by another which may or may not result in actual physical harm or injury. For example, slapping, hitting, pushing, kicking and the misuse of medication or restraints.</p>	<p>Unexplained injuries, bruises/cuts/burns: unexplained or long absences from a residential placement /home: appearing frightened; avoiding a particular person: asking not to be hurt.</p>
<p>Sexual – Any behaviour (physical, psychological verbal, virtual/online) perceived to be of a sexual nature which is controlling, coercive, exploitative harmful or unwanted towards another person. Any sexual contact with a vulnerable adult that they have not or cannot consent to.</p>	<p>Trauma to genitals, breasts, rectum, mouth, injuries to face, neck abdomen, thighs, buttocks, STI's and human bite marks.</p> <p>Behaviours which are unusual for that person, e.g. incontinence/aggression/changes to eating patterns/unusual sexual behaviour/anxiety attacks, disturbed sleep.</p>
<p>Emotional/Psychological (including bullying/harassment) Behaviour that is psychologically harmful to another person and which inflicts anxiety or mental distress by threat, humiliation or other verbal/non-verbal conduct. For example, threats of harm or abandonment, humiliation, depriving of</p>	<p>Mood swings, incontinence, obvious deterioration in health, sleeplessness, feelings of helplessness/hopelessness, extreme low self-esteem, tearfulness self-abuse or self-destructive behaviour.</p> <p>Challenging or extreme behaviour.</p>

<p>contact, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or support networks.</p> <p>Including spiritual abuse; denying a person to access sacraments and to practice their faith.</p>	
<p><i>Neglect or Acts of Omission</i></p> <p>The withholding of or the failure 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.</p>	<p>Poor personal hygiene, dirty and dishevelled in appearance e.g. unkempt hair and nails. Poor state of clothing: non-attendance at routine health appointments socially isolated.</p>
<p><i>Financial/Material</i></p> <p>The unauthorised and improper use of funds, property or any resources including pensions, or others statutory entitlement or benefits. Financial abuse involves an act or acts where a person is deprived of control of their finances or personal possession or is exploited financially by another person or persons. For example, theft, fraud, exploitation, exerting pressure in relation to wills, property inheritance or financial transactions or the misuse or misappropriation of property, possessions or benefits.</p>	<p>Lack of control over personal funds or bank accounts; misappropriation of money, valuables or property; lack of records or records incomplete regarding spending; forced changes to wills; not paying bills; refusal to spend money; insufficient money for day to day expense.</p>
<p><i>Discriminatory Abuse</i></p> <p>Unequal treatment, harassment or abuse of a person based on age, disability race ethnic groups gender, gender identify sexual orientation, religion, family status or membership of the travelling community,</p>	<p>Isolation form family or social networks, indicator of psychological abuse may also be present. Denying a person access to sacraments and to practice their faith.</p>
<p><i>Online/digital abuse</i></p> <p>An abusive or exploitative interaction occurring online or in a social media context.</p>	<p>Becoming withdrawn, anxious, clingy, depressed, aggressive, changes in behaviour, problems sleeping and eating disorders.</p>
<p><i>Organisational Abuse</i></p> <p>The mistreatment of people brought about by poor or inadequate care or support or systemic poor practices that affect a whole care setting. Inadequate response to complex needs.</p>	<p>Lack of or poor-quality staff supervision and management. High staff turnover. Lack of training of staff and volunteers poor staff morale. Poor record keeping. Poor communication with other service providers.</p>

	Lack of personal possessions and clothing being spoken to inappropriately,
<p><i>Professional Abuse</i></p> <p>This is the misuse of power and trust by professionals and a failure to act on suspected abuse, poor care practice or neglect, resource shortfalls or service pressures that lead to service failure and culpability as a result of poor management systems.</p>	<p>Misuse of power, poor care practice or neglect in services, not attending to the needs of all fairly and with respect, entering into inappropriate relationships with a vulnerable adult, failure to support a vulnerable adults to access healthcare/treatment, inappropriate response to challenging behaviours, failure to report disclosure of abuse, denying a vulnerable adult access to professional support and services such as advocacy</p>
<p><i>Human Trafficking/Modern Slavery</i></p> <p>The acquisition and movement of people by improper means, such as force threat or deception, for the purposes of exploiting them. It can take the form of domestic servitude forced criminality, forced labour, sexual exploitation and organ harvesting.</p>	<p>People believing that they must work against their will, unable to leave their work environment or showing signs that their movements are being controlled. Fear, anxiety, signs of injuries that appear to be the result of assault.</p>

(The above information is adapted from the draft, HSE Adult Safeguarding Policy, (2019).

Where might abuse take place?

Abuse can happen anywhere; some examples are as follows:

- In someone's own home
- In a carer's home
- Within day care, residential care, nursing care or other institutional settings
- At work or in educational settings
- In our communities and residences
- In places where the vulnerable persons attend, activity groups, church-based ministry settings
- In public places

Who might abuse?

This could be anyone who has contact with the vulnerable person. It could be a partner, spouse, child, relative, friend, advocate, informal carer, a member of the clergy or religious order, a healthcare, social care or other worker, a peer or, less commonly, a stranger.

It is also possible for a vulnerable adult to abuse or harm another vulnerable adult within a care or residential setting.

How may concerns come to your attention?

- A vulnerable adult may disclose abuse to you
- Someone else may tell you of their concerns or something that causes you concern
- Some incident/situation you witness causes you concern
- A vulnerable adult may show some signs of physical injury for which there does not appear to be a satisfactory or credible explanation
- A vulnerable adult's demeanour/behaviour may lead you to suspect abuse or neglect
- The behaviour of a person close to the vulnerable adult makes you feel uncomfortable. (This may include another staff member, volunteer, peer or family member).

Being alert to possible abuse plays a major role in ensuring that vulnerable adults are safeguarded, and it is important that all concerns about possible abuse are reported

Section 8 - Responding to Concerns of Harm to Vulnerable Adults

Responding to Disclosures of Abuse

If a vulnerable adult makes a disclosure of abuse, it is important that church personnel respond appropriately to ensure the vulnerable adult is supported and receives the correct response through this process.

DO

- Stay calm
- Listen carefully, expressing concern and sympathy
- Allow the person to tell the story in their own words and at their own pace
- Ask open ended questions for the purposes of clarification only
- Reassure the person - tell him/her they did the right thing in telling you
- Consider the immediate health and safety of the person
- Let them know that the information will be taken seriously and give them information about what will happen next
- Explain that information relating to the person's protection and welfare must be shared but only with those who need to know it to protect the person and/or other vulnerable adults.
- Let the person know that they will be kept informed at every stage
- Be aware that forensic evidence might be needed

Following your conversation with the person:

- If urgent help is needed, call the emergency services – medical and/or Gardaí
- Ensure the safety of the person
- Record in writing (date and sign your record) and report to the Augustinian DLP/Deputy DLP and the relevant statutory authorities.
- Act without delay in line with the reporting procedure

DO NOT

- Stop someone disclosing to you
- Appear shocked or display negative emotions
- Make judgements
- Give reassurances that you cannot keep
- Promise to keep secret what they tell you
- Press the person for more details or make them repeat the story
- Gossip about the disclosure or pass any information about this to anyone who does not have a legitimate need to know
- Under any circumstances, contact the person who may be causing the harm
- Attempt to initiate an investigation yourself
- Leave details of your concern on a voicemail or by e-mail
- Delay in responding

Seeking basic information to check out initial concerns or suspicion of harm

If you see a worrying mark/physical indicator or are concerned about the presentation of a vulnerable person or witness something that concerns you, you may need to seek further information from the vulnerable adult. It may be appropriate for you (the priest, brother, student, staff or volunteer) to ask the vulnerable adult what happened or whether anything was wrong. Listen carefully to their response and express concern appropriately.

It is important not to start investigating.

Section 9 - Reporting Procedure

Everyone is entitled to live a life free from abuse and neglect. All concerns, allegations and disclosures must be taken seriously and dealt with appropriately.

Where there are safeguarding concerns, disclosures or allegations, people often feel anxious about passing on the information to someone else and may ask themselves, “What if I am wrong?”. It is important for all church personnel to know that they are not responsible for deciding whether abuse has occurred, and neither are they responsible for conducting an assessment/investigation. This is the role of appropriate safeguarding personnel and statutory authorities. Church personnel must report all safeguarding vulnerable adult concerns in line with this policy.

- 1) All church personnel who have a concern or suspicion of harm of a vulnerable person, must record in writing, the factual details of the concern, including the date, time, names, details of the concern, including what the vulnerable adult said and any action taken.
- 2) If the concern arises within a community setting and does not involve church personnel, the line manager/Prior/Superior should be informed, and a report made directly to the local HSE Adult Safeguarding Team. *(See Appendix 1 for HSE Report Form)*
- 3) If the concern relates to church personnel, either as a vulnerable adult or person allegedly causing harm to a vulnerable person, this must be then reported without delay to the DLP/Deputy DLP in the Safeguarding Office, who will then inform the Provincial.
- 4) The DLP/Deputy DLP will establish if the concern relates to a safeguarding issue and whether there are reasonable grounds for concern. The DLP/Deputy DLP may need to consult with a member of the HSE Adult Safeguarding Team for advice and support.
- 5) If there are reasonable grounds for concern, the DLP/Deputy DLP will report the concern to the HSE Adult Safeguarding Team. The DLP/Deputy DLP will also seek the advice of the HSE as to how to proceed, making sure that any action taken by the Irish Augustinians will not prejudice the investigation of statutory authorities. *(see Appendix 1 for the HSE Report Form)*
- 6) If it is deemed that a crime has been committed the DLP/Deputy DLP will also report the matter to An Garda Síochána.
- 7) The DLP/Deputy DLP, in conjunction with other appropriate people, will take steps to ensure the safety of the alleged vulnerable adult and/or other parties who may be at risk of harm, in order to prevent risk of further potential harm/abuse.
- 8) Following advice from the HSE, the DLP/Deputy DLP may inform the person whom the allegation has been made against of the concerns and their right to respond.
- 9) It may be necessary to take protective measures to ensure the safety of vulnerable adult/s while the investigation is conducted. These safety measures may include suspension (or in the case of a religious, to stand aside from ministry), increased

supervision and/or assignation of other duties not involving contact with vulnerable adults. The protective measures should be proportionate to the level of risk. Suspension must not be used to imply guilt, rather a neutral act to allow the investigation to proceed, minimise further risk and to remove church personnel from the possibility of any further allegation.

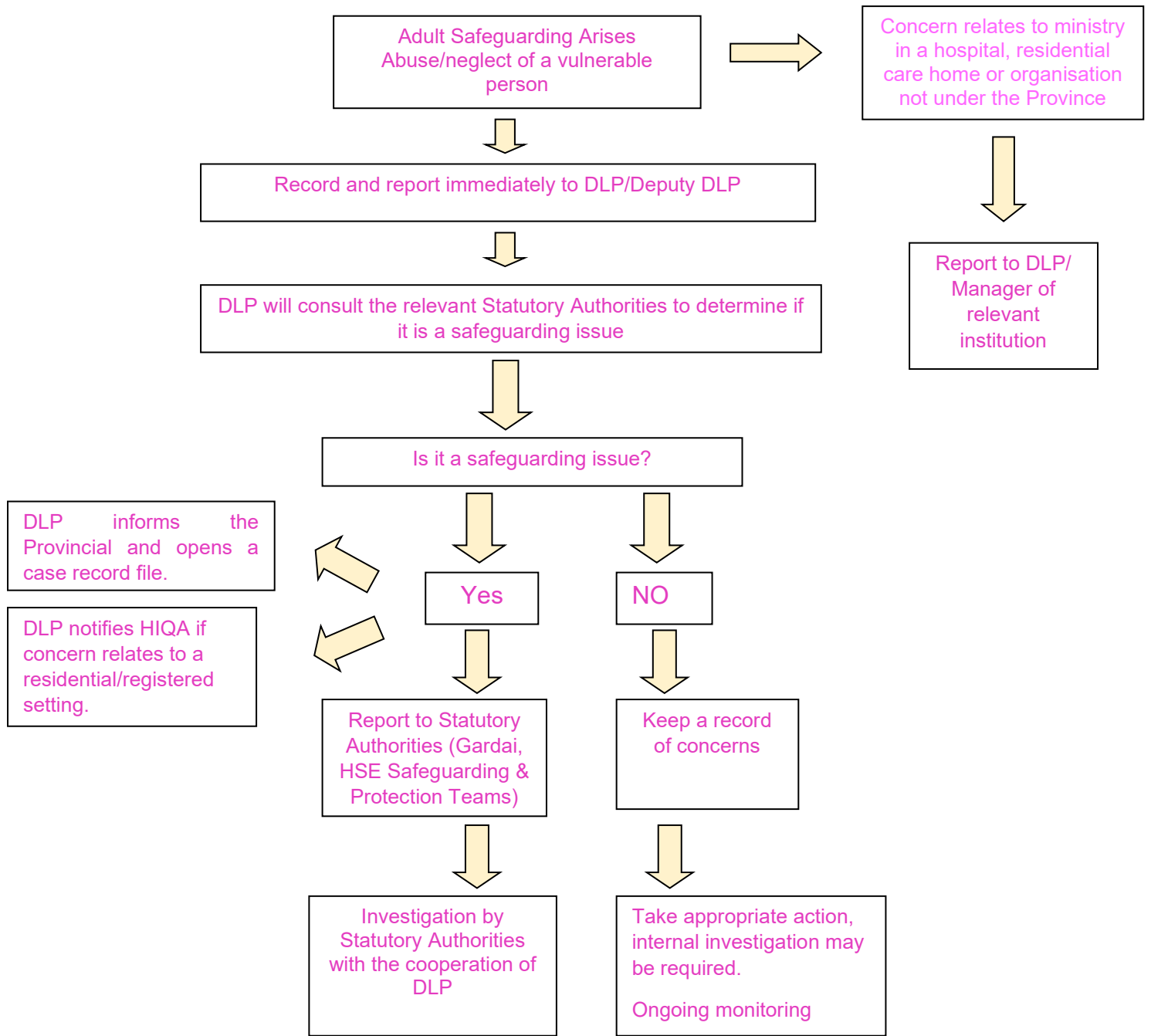
- 10) Following the outcome of the statutory investigation, the case will be reviewed internally, and all actions taken in respect of church personnel will be in accordance with disciplinary policy.
- 11) A written record of meetings, actions and consultations will be completed by the DLP/Deputy DLP and a confidential case file will be opened and stored securely in the Safeguarding Office.

The role of the DLP/Deputy DLP is:

- to support and advise church personnel on adult safeguarding matters
- to liaise with the statutory authorities
- to co-ordinate action within the Irish Augustinians to ensure no adult is exposed to ongoing harm
- to ensure that the reporting procedure is followed
- to keep relevant people informed of action taken/required
- to ensure the individual case records are maintained

If ministry involves visiting adults in hospitals, residential care homes or other settings independent of the Irish Augustinians, the reporting procedure is through the DLP/Manager of the relevant institution.

Reporting Flowchart



Urgent action to be considered

Is the person in immediate danger? Dial 999 for Gardai.
 Does the person need urgent medical attention? Dial 999 for ambulance

If church personnel have a child safeguarding concern this must also be reported to the DLP/Deputy DLP in line with the Augustinian Child Safeguarding Reporting Procedure.

Section 10 - Recording, Confidentiality and Sharing of Information

Recording

It is the responsibility of all church personnel to record, in writing, all safeguarding concerns, suspicions, disclosures and allegations. Records should include dates, times, names, action taken, observations and direct quotes used by individuals. Information should be factual, and any opinions offered should be supported by facts. Records should avoid using generalised terms, such as often and frequently, instead state definite timelines, for example, 3 times a week.

All written records relating to concerns or allegations of suspected or actual adult abuse must be maintained by the DLP/Deputy DLP, in the Safeguarding Office.

The Augustinian Order is responsible for ensuring that the gathering, storage, usage and sharing of personal information is in line with the requirements of the Data Protection Act 2018.

Confidentiality

It is important that church personnel understand the importance of confidentiality. All information relating to concern, suspicions, allegations about safeguarding should be treated as confidential and should only be communicated on a “need to know” basis with relevant personnel. Information should not be shared with anyone, inside or outside the Irish Augustinians, unless they are involved in the case. The DLP/Deputy DLP will advise on “who needs to know” and who should have access to records. Depending on the involvement of the vulnerable adult’s family and subject to consent where appropriate, information will be shared with family members.

While information about vulnerable adults is confidential, to ensure the care and safety of a vulnerable person and/or where a crime is suspected, it may be necessary to disclose to external agencies. This includes the disclosure of information to An Garda Síochána, and the local statutory Adult Safeguarding Teams.

Sharing of Information

All adults at risk of harm or in need of protection and, where appropriate, their carers or advocates, need to be made aware that information may be shared on a multi-disciplinary and inter-agency basis in order to protect and/or to investigate an alleged suspected criminal offence.

In general circumstances, observing the principle of confidentiality will mean that the information is passed on to others with the consent of the person concerned. However, it should be recognised that in order to safeguard vulnerable adults, it may be necessary, in some circumstances, to share information that might normally be regarded as confidential.

The duty to protect takes precedence over individual confidentiality if a person or others are at serious risk of harm or have been seriously harmed. However, information sharing will be proportional and on a "need to know" basis. Where possible, the person will be advised before the information is shared and with whom it will be shared.

Interagency Co-Operation and Communication

The Irish Augustinians recognises the knowledge and expertise of external organisations, particularly the statutory Adult Safeguarding Teams, in this area and therefore is committed to working in co-operation and communication with them, in order to promote the welfare of all vulnerable adults. It is intended that all organisations:

- Work together to protect the rights of vulnerable adults.
- Actively promote the empowerment and well-being of vulnerable adults through the services they provide.
- Work together with the aim of improving the quality of safeguarding work.
- Ensure that best practice in keeping vulnerable adults safe from harm is achieved.

The purpose of inter-agency cooperation in relation to the protection and safeguarding of vulnerable adults is to ensure that by working cooperatively, a consistent response will be made when concerns are raised, or allegations of harm are made.

Section 11 - Roles and Responsibilities

A summary of the roles and responsibilities within the Augustinian Safeguarding Structure are listed below.

The **Prior Provincial** has overall responsibility for:

- Ensuring that the safeguarding mechanisms for protecting all vulnerable people and groups are firmly established and working across the Irish Augustinian Province.
- The implementation of this Policy and procedures are regularly monitored and reviewed.
- Liaising with DLP/Deputy DLP in relation to the operation of this Policy.

The **Prior/Superior of Augustinian Community**

- The Prior/Superior has responsibility for safeguarding of all vulnerable person/s at risk of abuse in his community.

The **Designated Liaison Person/Deputy Designated Liaison Person** has responsibility for:

- Managing and coordinating all allegations, suspicions and concerns of child and vulnerable adult abuse within the Irish Augustinian Province.
- Reporting adult safeguarding concerns to the statutory services.
- Setting up multi-disciplinary strategy discussion meetings, when appropriate.
- Ensuring the internal management of cases.

The **Augustinian Safeguarding Committee** is established to oversee:

- The implementation of a safeguarding strategy.
- The safe recruitment of church personnel, in line with this Policy.
- To ensure that adult safeguarding training is delivered within the Irish Augustinian Province.
- The creation, maintenance and monitoring of a safe environment for vulnerable adults.

Section 12 - Access to Advice and Support

Contact Information of Designated Liaison Person in the Augustinian Province of Ireland.

Designated Liaison Person

Mr. Tony Murphy

Deputy Liaison Person

Fr. Kieran O'Mahony OSA

Address: St. Augustine's, 16 Zion Road, Rathgar, D6

Mobile No: 087-2211235

HSE Safeguarding and Protection Teams

There are HSE Adult Safeguarding Teams in all Community Healthcare Organisations (CHOs). Contact your local Safeguarding and Protection Team by choosing your HSE CHO on www.hse.ie

HSE Confidential Recipient

The HSE has also appointed a confidential recipient who will receive, and report concerns of abuse or neglect in complete confidence.

Phone: (061) 585603 or (087) 6657269

Lo Call 1890 1000 14.

Monday to Friday 9am to 5.30pm

Email: leigh.gath@crhealth.ie

HSE Information Line

Monday to Saturday, 8am – 8pm

Call save: 1850 24 1850

Email: info@hse.ie

An Garda Síochána

Garda Confidential Service: 1800 666 111

Garda National Protective Services Bureau: (01) 6663430

or

Contact your local Garda Station

The Samaritans

Phone Number: 1850 609090

Towards Healing Freephone

Phone Number: 1800 303416

“Towards Healing” is a private and confidential counselling and support service for survivors of institutional clerical and religious abuse, funded by the Catholic Church in Ireland.

Towards Peace

Phone Number: (01) 5053028

“Towards Peace” offers spiritual support to victims/survivors of clerical abuse whose faith in God may have been affected by their experience. Following initial telephone contact, “Towards Peace” offers an opportunity to talk to a trained spiritual companion in a one-to-one setting and to explore questions and concerns about God, and to get in touch with God’s presence in their lives.



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

Appendix 1 A

Report Form for Safeguarding Vulnerable Adults

REFERRAL FORM FOR COMMUNITY BASED REFERRALS

SAFEGUARDING VULNERABLE PERSONS AT RISK OF ABUSE NATIONAL POLICY & PROCEDURES

There is duty of care to report allegations or concerns regardless of whether client has given consent

Referrer should take any immediate actions necessary as per policy in relation to seeking An Garda Síochána or medical assistance

Vulnerable Person's Details:

Name: _____ DOB: _____

Address: _____

Marital Status: _____ Contact Phone Number
:/Mobile: _____

Does anyone live with client: Yes No If yes, who?: _____

Medical history and any communication support needs (as understood by referrer):

Details of the person's vulnerability (as understood by referrer):

Is client aware this referral is being made? Yes No

Has client given consent? Yes No

Is there another nominated person they want us to contact, if so please give details?

Name: _____ Contact Details: _____

Relationship to vulnerable person: _____

GP Contact Details:

Name: _____ Telephone: _____

Primary care details i.e. social worker, PHN,
etc. _____

—

Any other key services/agencies involved with client (Please include Name and Contact):

Details: _____

Details of allegation/ concern: Please tick as many as relevant:

Physical abuse

Financial/material abuse

Psychological/Emotional abuse

Neglect/acts of omission

Sexual abuse

Discriminatory abuse

Extreme Self Neglect* Institutional abuse

(extra sheet/report can be included if you wish)

Details of concern:

(*If self neglect is being referred please complete the attached presence of indicators of extreme self-neglect)

Details of Person Allegedly Causing Concern (if applicable)

Name: _____ Relationship to vulnerable person: _____

Address: _____

Is this person aware of this referral being made: Yes No

Details of person making referral:

Name: _____ Job Title (if applicable): _____

Agency/Address: _____

Landline _____ Mobile: _____

Signature _____ Date: _____

Appendix

Intimate Care for Vulnerable Adults

If you are working directly with a vulnerable adult, it is important to establish if they have intimate care needs, and/or who should provide or assist with this if it is necessary. Intimate care is, to some extent, individually defined and varies according to personal experience, cultural expectations and gender. It may be described as help with anything of a personal or private nature that the individual is unable to do themselves.

It is particularly important that vulnerable adults, with specific needs are carefully listened to, in recognition of the fact that they may have difficulty expressing their concerns, and so that the importance of what they say is not underestimated.

Generally, church personnel are not expected to be involved in the provision of intimate care of vulnerable adults. This should be undertaken by suitably qualified people. Most importantly, it should be agreed in advance who will carry out intimate care and how it should be done. Guidelines to be borne in mind when providing intimate care include:

- the sensitive nature of such tasks
- the need to treat every vulnerable adult with dignity and respect
- the need to ensure an appropriate degree of privacy
- the need to involve the vulnerable adult as much as possible in their own care and
- trying to ensure consistency in who provides care.

If a vulnerable adult appears distressed or unhappy, this should be discussed with the Prior/Superior/Line Manager. Any concerns or allegations should be reported following the procedures outlined in this Interim Safeguarding Vulnerable Adult Policy.

Appendix 3

Whistle Blowing Policy

Whistle blowing is a term used to describe the action of someone who reveals/discloses wrongdoing within an organisation, to the public or to those in positions of authority. All church personnel within the Irish Augustinian Province must acknowledge their individual responsibility to bring matters of concern to the attention of their Prior, Superior, Line Manager.

The purpose of this Policy is to support those who have concerns for the welfare and safety of children and/or vulnerable adults, to express their concerns without that fear that they will be victimised or harassed for doing so.

This could be the Prior, Superior, Parish Priest, Provincial, Bishop, Line Manager and/or DLP/Deputy DLP. Although this can be difficult to do, it is particularly important where the welfare of children and/or vulnerable adults may be at risk.

You may be the first to recognise that something is wrong, but you may not feel able to express your concerns due to loyalty to colleagues, or you may fear harassment or victimisation. These feelings, however natural, must never result in a child/young person or vulnerable adult continuing to be unnecessarily at risk. Remember, it is often the most vulnerable children/young people or vulnerable adults who are targeted. These individuals need an advocate to safeguard their welfare.

Reasons for whistle blowing

- Each individual has a responsibility to raise concerns about unacceptable practice or behaviour.
- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent you from becoming implicated.

What stops people from whistle blowing

- Fear of starting a chain of events that spirals out of control.
- Disrupting the work or project.
- Fear of getting it wrong.
- Fear of repercussions or damaging careers.
- Fear of not being believed.

Legal Basis

In the Republic of Ireland, the legislation is the Protected Disclosures Act 2014, a guide to which can be accessed electronically at:

www.raiseaconcern.com/legislation/raiseaconcern-easy-guide-to-pdopia#accept

This legislation provides legal safeguards to the following:

- Employees of church bodies.
- Agency workers in certain circumstances.
- To contractors and consultants contracted by the church body.
- To trainees, temporary workers and those on work experience with the church body to report illegal practices or other specified wrong doings such as abuse.

However, it does not apply to volunteers.

The safeguards apply where the disclosure is made in good faith and on reasonable grounds and related to any conduct or action which raises a significant danger to public health or safety.

The Augustinian Order is committed to ensuring that any person who raises a concern for the safety or welfare of a person will not be victimised, harassed or in any way disadvantaged, provided that the person has reasonable grounds for the concern. Any person who is concerned about poor or inappropriate practice or behaviour in a community and/or parish, should discuss this with their Prior/Superior/Line Manager or DLP/Deputy DLP.