



Safeguarding Vulnerable Adults Policy

Contents

1	Introduction	3
2	Purpose	3
3	Types of Abuse and Exploitation	4
3.1	Physical Abuse	4
3.2	Sexual Abuse	4
3.3	Emotional and Psychological Abuse	4
3.4	Financial and Property Abuse	5
3.5	Neglect and Acts of Omission	5
3.6	Discriminatory Abuse	5
3.7	Institutional Abuse	5
4	Safeguarding Vulnerable Adults Procedure	6
4.1	Alertness and Recognition	6
4.2	Implementation of Suspicion of Abuse or Exploitation	6
4.3	Dealing with Disclosures / Reporting Methods	7
4.4	Responsibility and Risk Assessment	9
4.5	Allegations	10
4.5.1	Allegations Against a Staff Member	10
4.5.2	Allegations Against, Student, Fellow and Volunteers	10
4.5.3	Allegations Against a Person we work with	10
4.6	Actions when Suspected Abuse or Exploitation is Taking Place Off-Site	11
4.7	Self-Neglect	11
4.8	Safeguarding Children	11
5	Staff Recruitment, Training and Development	11
6	Code of Conduct for Migrant Rights Centre Ireland'	12
	Appendix 1	13

1 Introduction

The Migrant Rights Centre Ireland (MRCI) strives to be an effective advocate of the rights and empowerment of migrant workers and their families and believes in its responsibilities to safeguard vulnerable adults. It is important to have the policy and procedures in place so that staff, volunteers, students, fellows, people we work with, and the Board can work to prevent abuse and know what to do in the event of abuse.

This policy will enable MRCI to demonstrate its commitment to keeping safe vulnerable adults whom it comes into contact with. It covers people aged 18 and above; people aged under 18 falls within the scope of MRCI's Safeguarding Children Policy.

A vulnerable adult is a person aged 18 or older who requires support, assistance or advice due to particular needs related to ethnic origin, age, or state of physical or mental health and disability, is, or may be unable to take care of him or herself, or unable to protect him or herself against significant harm, abuse or exploitation. Abuse is defined as a violation of an individual's human and civil rights by another person or persons.

2 Purpose

This policy has been drawn up in recognition of MRCI's duty to act responsibly and appropriately to any allegations, reports or suspicions of abuse. It is intended to promote good practice and work in a way that can prevent harm, abuse and coercion occurring. It will ensure that any allegations of abuse or suspicions are dealt with appropriately and the person experiencing abuse is supported and to stop that abuse occurring. This policy is focused on addressing current and potential risks to our service users and to those engaged in our community work, and outreach programmes, and others services /other people accessing other services.

Many people who use our services can be vulnerable to abuse and exploitation due to their employment, immigration status, personal difficulties and experiences. Such experiences may include, labor exploitation, homelessness, trafficking for labor exploitation, being undocumented, mental health, trauma and distress, feelings of dislocation, domestic abuse, racism and violence. These experiences are compounded by ethnic origin, age, or state of physical or mental health or disability.

A key element of MRCI's work is to assist service users to make appropriate decisions about different aspects of their lives to enhance their independence and integration. A further

element of this work is to build the participation, capacity and empowerment of migrants to take collective action to advocate for social change.

3. Types of Abuse and Exploitation

In its day-to-day work, MRCI comes into contact with people who may have experienced the types of abuses outlined below. It is our duty to address such abuses in a range of ways and to report them to the authorities where relevant. It is also our duty to ensure that no such abuses are condoned or committed by members of MRCI staff, volunteers or the Board in carrying out its roles, duties or functions.

To address reports of abuse and prevent abuses from happening in MRCI, section 4 sets out the procedures to be followed and should be read in conjunction with the Safeguarding Children and Young People Policy the Child Safeguarding Statement.

2.1 Physical Abuse

The use of force which results in pain or injury. The non-accidental infliction of physical force that results in bodily injury, pain or impairment. Examples include physical injuries, which have not been adequately explained and suspicion that they have been inflicted intentionally, bullying, forced medication, forced labour, prolonged physical restraint, denial of food and violence.

2.2 Sexual Abuse

Sexual abuse is the direct or indirect involvement of the adult at risk in sexual activity or relationships, which they do not want or have not consented to, they cannot understand and lack the mental capacity to be able to give consent to or have been coerced into because the other person is in a position of trust, power or authority.

2.3 Emotional and Psychological Abuse

Emotional abuse includes actions or behavior that have a harmful effect on the emotional, health, wellbeing and/or development of an adult who is at risk. For example, threats, deprivation of contact, shouting, ignoring, cruelty, bullying and harassment, humiliation, coercion, creating unnecessary dependency, negating the right of the adult at risk to make choices and undermining self-esteem and includes also abuse through social media and cyber bullying.

2.4 Financial and Property Abuse

Financial abuse is the use of a person's property, assets, income, funds or any resources without their informed consent or authorisation. Financial abuse is a crime. It includes, theft or fraud, undue pressure in connection with wills, property, inheritance or financial transactions, the misuse or misappropriation of property, possessions or benefits and the misuse of an enduring power of attorney or a lasting power of attorney, or appointee ship.

Further examples include the control of a client's financial affairs by an appointee or another party, but a refusal to meet their financial needs. Money being spent by the appointee or another party on their or other's benefit without this having been intended by the owner. Disposal or sale of possessions by another party.

2.5 Neglect and Acts of Omission

Neglect and acts of omission – the failure of any person, who has responsibility for the charge, care or custody of an adult at risk, to provide the amount and type of care that a reasonable person would be expected to provide. Neglect can be intentional or unintentional and include depriving someone of everyday essentials like food, clothes, warmth and hygiene needs and depriving someone of a service.

2.6 Discriminatory Abuse

Discriminatory abuse occurs when values, beliefs or culture result in a misuse of power that denies opportunity to some groups or individuals. It can be a feature of any form of abuse of an adult at risk, but can also be motivated because of age, gender, sexuality, disability, religion, class, culture, language, and race or ethnic origin. It can result from situations that exploit a person's vulnerability by treating the person in a way that excludes them from opportunities they should have as equal citizens, for example education, health, justice and access to services and protection.

2.7 Institutional Abuse

Institutional abuse is the mistreatment, abuse or neglect of an adult at risk by a regime or individuals. It can take place within settings and services that adults at risk live in or use, and it violates the person's dignity, resulting in a lack of respect for their human rights.

Institutional abuse occurs when the routines, systems and regimes of an institution result in poor or inadequate standards of care and poor practice. It can take the form of an organisation failing to respond to or address examples of poor practice brought to their attention.

It can take place in various places, for example day care, care homes, hostels, supported housing, hospitals, supported housing and detention centres. It can be difficult to identify the difference between a poor service and institutional abuse.

4. Safeguarding Vulnerable Adults Procedure

The policy applies to all staff members, including senior managers, board members, volunteers, fellows, students, and anyone working on behalf of MRCI.

2.8 Alertness and Recognition

MRCI deals with workplace exploitation in its day-to-day work in the Information and Support Centre and through outreach. However, it can be difficult to recognise other forms of abuse and/or exploitation. Staff should be alert to changes in a person's disposition or demeanor. Staff may see abuse occur, or may also overhear indications of abuse or exploitation, or be informed directly.

Whatever the source of the information or suspicion, this must be recorded. This includes anonymous information or information from people who do not want to be identified. The abuse must be reported to their Line Manager and the Designated Officer in the first instance.

2.9 Implementation of Suspicion of Abuse or Exploitation

We recognise that implementation is an ongoing process. MRCI is committed to the implementation of this policy and the procedures that support our intention to protect vulnerable adults while availing of our services and programmes. A Vulnerable Persons Safeguarding Statement will be reviewed annually or as soon as practicable after there has been a material change in any matter which this statement refers. This is the role of the Designated Officer and the Coordinating Group and signed off by the Board.

In order to implement the policy, the MRCI will work:

- to promote the freedom and dignity of the person who has or is experiencing abuse
- to promote the rights of all people to live free from abuse and coercion
- to ensure the safety and wellbeing of people who do not have the capacity to decide how they want to respond to abuse that they are experiencing
- to manage services in a way which promotes safety and prevents abuse
- recruit staff and volunteers safely, ensuring all necessary checks are made
- provide effective management for staff and volunteers through supervision, support, and training

Staff who suspect abuse or exploitation should share this with their Line Manager at the earliest opportunity. The Line Manager must inform the Designated Officer and agree on any immediate action that should be taken to protect a person who is in imminent danger of serious injury/abuse. Depending on the case, immediate action may need to be taken and the Gardai informed. This should be done with the consent of the person, if such a consent is diminished due to mental health capacity, the Designated Officer and the Coordinating Group will seek to act in the best interest of the person to remove them from harm and danger. If there is knowledge concerning a threat to life or indications of serious injury, then the emergency services will be immediately contacted.

An allegation of abuse/exploitation by staff must be treated as an alleged act of Gross Misconduct under MRCI's Disciplinary Procedures.

2.10 Dealing with Disclosures / Reporting Methods

Understanding the following relevant terminologies are important in assessing a situation:

- A disclosure is defined as a specific allegation of abuse. It may or may not be made against a named individual.
- A suspicion is when a concern is expressed about abuse that may have taken place or concern that abuse may take place.
- An allegation or suspicion of vulnerable adult abuse may be made known by MRCI staff.

4.3.1 Responding to a disclosure of abuse:

MRCI staff, students, fellows and volunteers, have been instructed to take the following points into consideration should there be a disclosure of abuse:

- Treat the person sympathetically.
- Take what they say earnestly
- Be as calm and as natural as possible. Remember that you have been approached because you are trusted and possibly liked. Do not panic.
- Be aware that disclosures can be very difficult.
- Reassure the person that it was right to tell somebody what happened and that they have done nothing wrong.
- Remember that the person may initially be testing your reactions and may only fully open up over a period of time.
- MRCI must not investigate or ask leading questions. Ask the person to tell, explain and describe.

- Listen to what the person has to say. Give them the time and opportunity to say as much as they are able and wish to say. Do not pressure them. Allow them to disclose at their own pace and in their own language.
- Do not express any opinion about the alleged abuser to the person reporting to you.
- It may be necessary to reassure the person that your feelings towards him/her/they have not been affected in a negative way as a result of what has been disclosed.
- Outline the steps that they will take with or on behalf of the service user and inform them that they will need to share this information with their manager.
- Then we will continue to work with the person and seek the most appropriate support.

4.3.2 Reporting Procedures:

Immediate after the disclosure, all staff, students, fellows or volunteers should do the following:

- Record the details of the situation, what happened, names involved, date, and place. Any important factors relevant such as consistency of facts, visible marks or sign of abuse.
- Make sure that the information is treated confidentially.
- The safety and protection of the vulnerable adult should be the paramount concern.
- Some people will have experienced abuse in the past and may wish for no action to be taken, or indeed action may not be possible or practical.
- The allegations should not be investigated by the staff, student, fellow or volunteer.
- If they make a report on suspected or actual abuse, the individual should ensure that the priority is always for the safety and welfare of the vulnerable adult.
- Immediately after the disclosure, the staff, student, fellow or volunteer should give a complete copy of the report containing as much detail as possible to the Designated Officer in MRCI.
- Follow any direction given by the Designated Officer on how the case may be taken further.
- In the event of an emergency where you think a vulnerable adult is in immediate danger you should contact the Garda before other incidents happen. The nearest Garda station to MRCI is the Store Street Garda Station, 4-6 Store St, Mountjoy, Dublin 1, D01 W773 Telephone: (01) 666 8002.

4.3.3 Reporting a complaint – the Designated Officer

In accordance with Safeguarding Vulnerable Person at Risk of Abuse National Policy and Procedure 2014 (p41), MRCI has appointed: Designated Officer (DO), [Daniel Korolev](#), can be contacted on daniel@mrci.ie and Deputy Designated Officer (DDO), Tatjana Sinkevica, can be

contacted on tatjana@mrci.ie. They are responsible for reporting suspicions of abuse and exploitation.

When a report of abuse is made by a staff member, student, fellow or volunteer, be it against another member of staff member, student, fellow or volunteer, the following procedures are to be followed by the Designated Officer and Deputy Designated Officer.

- The Designated officer is responsible for receiving the concerns or allegations of abuse and exploitation.
- The Designated Officer will meet with the staff member, student, fellow or volunteer who took the complaint. The DO will be available to provide support and advice.
- The DO will collect all relevant information, discuss the concerns raised and necessary actions are identified.
- The DO ensures that all reporting duties are met both internally and externally and with the statutory authorities.
- Keeping appropriate record of the information, sign and date, using Safeguarding report (see Appendix 1).

2.11 Responsibility and Risk Assessment

MRCI has a risk assessment framework for protecting children, young people and vulnerable adults. This is reviewed and updated after an incident is detected and reported.

Line Managers and the Designated Officer will oversee allegations of abuse, which will be logged onto the appendix attached. They will also ensure service users are informed of any action taken or explain if and why no action has been taken.

All concerns will be reported to the Designated Officer who retains overall responsibility for safeguarding and protection within MRCI. They also oversee the log of cases and outcomes, which shows what action has been taken. This role is also responsible for reviewing the effectiveness of this policy and procedure, including improving service delivery following incidents or client feedback.

MRCI will work proactively with other agencies on safeguarding, possibly taking the lead in response to incidents, but also to promote awareness of abuse with clients.

2.12 Allegations

4.5.1 Allegations Against a Staff Member

If the alleged abuser is a staff member the investigation will follow MRCI's disciplinary procedure. Abuse of people we work with is an act of gross misconduct and may also be a criminal offence.

All staff have a responsibility to report staff actions which are abusive/exploitative of people we work with, or which are unethical. All staff members must uphold the values of MRCI in all its actions, including ensuring the confidentiality of service users.

MRCI promotes ways to encourage the reporting of concerns, including letting service users know how to report concerns to outside organisations such as the Gardaí or other statutory bodies.

Any allegation against a member of staff must be reported to the Designated Officer and the Coordinating Group immediately. If the allegation is against one of these actors, this must be reported to the Chair of the Board.

4.5.2 Allegations Against Student, Fellow and Volunteers.

If the alleged abuser is a volunteer, student, or fellow the investigation will follow MRCI's disciplinary procedures for volunteers including fellows, and for students in line with the academic institutions' gross misconduct procedures. Abuse of people we work with is an act of gross misconduct and may also be a criminal offence.

All students, fellows and volunteers have a responsibility to report actions which are abusive/exploitative of service users, or which are unethical.

MRCI promotes ways to encourage the reporting of concerns, including letting service users know how to report concerns to outside organisations such as the Gardaí or other statutory bodies.

4.5.3 Allegations Against a Person we work with

If the alleged abuser is a person we work with, a risk assessment will be carried out, and possible safeguarding measures will be introduced. This person will still be supported through the process rather than automatically excluded from MRCI, other than in exceptional circumstances where the risk to others is too great.

2.13 Actions when Suspected Abuse or Exploitation are Taking Place Off-Site

Staff may become suspicious that the person we are working with is being abused/exploited. In this scenario, staff should use opportunities with the person to discover what the circumstances are and if there is abuse and exploitation. Their line manager must be kept informed.

If there is evidence of abuse/exploitation and the person is vulnerable to the extent that they are unable to prevent it or are unable to make an informed choice about consenting to it, then the details should be reported to the relevant agencies. If a crime has been committed, staff should report this to the Gardaí. Such disclosures should be logged into Salesforce.

2.14 Self-Neglect

Staff may become suspicious or have evidence that a person we work with is neglecting themselves. In these circumstances staff should collect evidence to substantiate the suspicion and where possible address this through case work with the person. If there is neglect which is severely harmful to the health of the person and/or to others, and if the plan to remedy this situation is not effective, then a referral should be considered to Social Services and/or the Gardaí.

2.15 Safeguarding Children

If a staff member obtains information about alleged physical or sexual abuse of a child who is under 18 years of age, please follow the procedure set out in the Safeguarding Children and Young People Policy.

3 Staff Recruitment, Training and Development

MRCI has a procedure in place for the safe recruitment and selection of workers and volunteers to work with vulnerable adults. MRCI adheres to the statutory vetting requirements of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 engaged in a thorough interview process and reference checks. Along with adherence to Garda Vetting legislation, MRCI has Child Protection and Garda Vetting policies in place.

All staff with MRCI are made aware of expected behavior while interacting with vulnerable adults. Relevant information is made known through the Staff Handbook and Casework Manual. Structured induction period applies for all new staff. Training is provided for all new staff members, students and volunteers and reporting procedures are outlined.

Safeguarding and protection from abuse training will be available to all new members of staff, along with regular updates for existing staff. Staff will be trained to identify the different types of abuse, the procedure to be taken when an allegation of abuse is made or detected, and the potential impact on themselves and clients of being involved in abuse cases.

Staff may also attend other relevant training. Staff will be supported in safeguarding abuse issues through regular supervision. Supervision is also used to reinforce the limits to relationships between staff and the people we work with and to prevent staff from benefiting personally when working with vulnerable people.

4 Code of Conduct for Migrant Rights Centre Ireland's Staff Members, Fellows, Volunteers in relation to working with Children and Vulnerable Adults.

In order to avoid the possibility of misunderstanding and the potential for allegations of misconduct, the following **Code of Conduct** has been developed. By setting out appropriate and inappropriate behaviour, this code good practice in all of MRCI's work with vulnerable adults. It aims not only help to protect vulnerable adults, but also staff and volunteers.

Do	Listen and hear – give time to the vulnerable adults and what they may want to say.
Do	Always treat all vulnerable adults with respect – don't embarrass them.
Do	Respect a vulnerable adult right to privacy and dignity.
Do	Remember that someone else might misinterpret your actions, no matter how well intentioned.
Do	Recognise that while physical contact is a valid way of comforting, reassuring and showing concern for vulnerable adults, it should only take place when it is acceptable to all persons. Physical touch should only happen if initiated by the vulnerable adult, or with verbal consent, non-verbal gestures should not be used as consent.
Do	Use appropriate language. Joking, sarcasm and sexualised language when around vulnerable adults is inappropriate when communicating in a professional context.
Do	In the unlikely event of needing to travel with vulnerable adults ensure to carry identification.
Do Not	Give lifts in your car to individual vulnerable adults unless this is unavoidable for safety reasons. If such a situation arises, ensure that another staff member or volunteer is aware and inform them of your expected arrival time.

Do Not	Bring a vulnerable adult to your home or give out personal information e.g. address, telephone number etc.
Do Not	Contact a vulnerable adult outside of the working environment and schedule.
Do Not	Punish physically a vulnerable adult or be in any way verbally abusive, recognise one's power in all interactions with vulnerable people.
Do Not	Show favouritism to any individual.
Do Not	Allow bullying.
Do Not	Under any circumstances attempt to deal with any problems which may arise in relation to safeguarding vulnerable adults alone. Discuss all concerns with the DO or the DDO.

Appendix 1

Safeguarding Report

1. Complete form after an adult protection incident and pass it to your Line Manager
2. Line manager to submit form to the Designated Officer (DO)

Details of Adult

Name:		Immigration Status:
Gender:	Age and Date of Birth:	Nationality:
Ethnicity:	Language:	Additional needs:

Your Details

Your name:	Your position:	Date and time of incident (if applicable):
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Are you reporting your own concerns or responding to concerns raised by someone else?

Own concerns ☐

Concerns raised by someone else ☐

If someone else please detail name, organisation and position in organisation:

Other agencies involved with the person, if known:

Please provide details of the incident or concerns you have, including times, dates, description of any injuries, whether information is firsthand or by account of others, including any other relevant details:

Please detail the person's account/perspective, if possible:

Provide details of anyone who witnessed the incident and/or who shares the concerns:

Has the situation been discussed with the Designated Officer?

Yes / No (delete as appropriate)

If so, please summarise the discussion:

Have you informed the statutory authorities:

Gardai: Yes / No (delete as appropriate)

Date and time:

Name and phone number of the person you spoke to:

Other Agency: Yes / No (delete as appropriate)

Date and time:

Name of Agency and phone number of the person you spoke to:

What has happened since referring to statutory agency(ies)? Include the date and nature of feedback from the referral, outcome and relevant dates:

Details of any further steps taken to provide support to the vulnerable adult and any other agencies involved:

Name.....

Position

Date

Signed

Manager's Name

Position

Date

Signed