



VERSION 1.0

ADULT SAFEGUARDING PRACTICE GUIDANCE

NON-ENGAGEMENT

The National Safeguarding Office
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INTRODUCTION

An adult at risk of abuse is assumed to have capacity and the right to self-determination. As such, that person may choose to decline a safeguarding service intervention. An adult at risk of abuse can also initially agree to engage with a safeguarding process but at some point in the process can decide to withdraw their engagement. In some cases the lack of engagement may not be problematic; however there may be occasions when the safeguarding issue gives cause for ongoing concern for the adult at risk of abuse.




MAXIMISING THE POTENTIAL FOR ENGAGEMENT

A key to maximising the potential for engagement by the adult with the safeguarding process lies with ensuring the adult is communicated with fully on the safeguarding process by a professional who is known to the adult. In addition it will be important that the adult is supported in whatever way necessary to fully engage with and participate in the safeguarding process.

In circumstances where an adult at risk of abuse does not engage in a safeguarding process it will be important to gain an understanding of the likely reasons for such action.


Consider the following;


- Does the adult fully understand the process of safeguarding?
- Does the adult require additional assistance with communication?
- Does the adult fully understand their decision not to co-operate or to disengage?
- Has the adult had any previous negative experience of a safeguarding process?
- Is the adult overwhelmed or intimidated by the safeguarding process?
- Is the adult acting of their own free will or could “undue influence” or coercive control be a factor?
- Are there any other medical conditions that may be affecting the judgement of the adult (such as cognitive deficits, infections which cause poor judgement, depressive illnesses etc.)?
- Are there other ways of engaging with the adult?



In circumstances where the level of non-engagement means that a Safeguarding Protection Plan cannot be implemented, the person implementing the plan must consider the level of risk remaining for the adult and the duty of care towards the adult. In these circumstances, it is advisable that any safeguarding decision made should happen in the context of a case conference to which the adult at risk of abuse is invited and supported to attend. The minutes of the case conference will clearly set out the concerns expressed, the proposed safeguarding plan and the wishes of the adult at risk of abuse. At the conclusion of the meeting consideration will need to be given to whether a safeguarding plan can or should be implemented even in circumstances of non-engagement by the adult. Legal advice may also be required at this point, particularly where the decision making capacity of the adult at risk of abuse is in question.

In circumstances where there may be a medical or mental health component to non-engagement then every effort must be made to clarify these medical matters before a final decision can be made. The Case Conference and strategy meeting model of intervention is important here to gather and share relevant information. Legal advice may also be required at this point, particularly where the decision making capacity of the adult at risk of abuse is in question.





In all cases it will be important to identify the other key professionals who will need to be involved in any safeguarding decision and information will need to be shared as necessary. Always remember that certain allegations or concerns of abuse will need to be referred to An Garda Síochána. Please see the guidance sheet on liaison with An Garda Síochána for further advice.

Example of Non-Engagement

Mary is 19 with a mild intellectual disability who attends a vocational training centre. Concerns have been raised by another service user to a staff member in relation to Mary's relationship with a man in his fifties. There are fears that Mary has been exploited both financially and sexually. The manager at Mary's centre seeks to meet with Mary to discuss the matter as a safeguarding concern. Mary does not attend for the meeting and has not returned to the centre since.

Example of Limited Engagement

Mary is 19 with a mild intellectual disability who attends a vocational training centre. Concerns have been raised by another service user to a staff member in relation to Mary's relationship with a man in his fifties. There are fears that Mary has been exploited both financially and sexually. The manager at Mary's workshop seeks to meet with Mary to discuss the matter however Mary chose not to engage in the assessment of the concern. The safeguarding process takes place and the outcome of the assessment is "Protection from abuse concern".

Mary agrees to meet the manager to discuss the Safeguarding Protection Plan. Following discussion she agrees to take some advice on money management but she chooses not to engage with a relationships and sexuality course. She is prepared to attend her GP and discuss matters with her but does not want the manager at the centre to contact the GP.

