



VERSION 1.0

ADULT SAFEGUARDING PRACTICE GUIDANCE

RESPONDING TO CONCERNS OF ABUSE

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INTRODUCTION

All staff and volunteers of HSE and HSE funded services have a role to play in the safeguarding of adults who may be at risk of abuse. This responsibility extends to

- recognising when the issue is a safeguarding concern
- responding immediately to ensure the safety of the adult
- reporting the safeguarding concern to their line manager and Designated Officer

The level of responsibility for responding and reporting will vary across roles. This section offers guidance to all and will be of particular relevance to those staff with greater responsibility for responding to safeguarding concerns (staff within an organisation have who additional specific responsibilities for the assessment of safeguarding concerns, the development of safeguarding plans, overseeing the implementation of these plans and any reviews of same).

KEY LEARNING POINT

All staff/volunteers who have a safeguarding concern need to

- recognise the concern as a safeguarding concern
- respond by ensuring the safety of the adult (and any other adults at risk)
- report the concern on the same day as it occurs/ is made known to them.

Engaging with the adult in a meaningful way as early as possible (where necessary with assisted technology and adapted communication) is key to promoting good person-centred practice. From the very first stages of concerns being identified, the views of the adult should be gained. This will enable the person to give their perspectives and should directly inform what happens next.

INITIAL CONSIDERATIONS

KEY LEARNING POINTS

The HSE Safeguarding Policy has a zero tolerance approach to abuse. In essence this means that there should be no acceptance of abuse or neglect of an adult at risk of abuse.

Any matter which the staff member considers to be a safeguarding concern or which is reported as a safeguarding matter will need to be assessed as a safeguarding concern. The Designated Officer will ensure a preliminary screening is completed to establish whether reasonable grounds for concern exist.

If a staff member is unsure as to whether an incident constitutes a safeguarding matter they should seek guidance from their line manager in the first instance. Guidance can also be sought from their Designated Officer and/or their local [Safeguarding and Protection Team](#). Staff should also be aware that the HSE Adult Safeguarding Policy contains definitions and indicators of abuse along with examples.

Other countries have developed “threshold” type systems which rates the incident on various criteria including seriousness, harm caused etc. In such systems incidents that are rated as constituting a lower level of abuse would not need to be assessed and reported on every occasion. Staff should be clear that no such system operates in this jurisdiction. Developing guidance material in an Irish context was seen as the best approach rather than the adoption of a threshold approach at this time without a sufficient evidence and research base. Safeguarding reports and inspection findings continue to show that vigilance is necessary against the normalisation of a culture of acceptance of abuse. It is vital that staff should be encouraged to question and challenge. Education, dialogue and on-going engagement with staff and volunteers is critical to support staff to raise concerns regardless of the outcome.

COMMUNICATING WITH THE ADULT AT RISK OF ABUSE

A safeguarding concern can come to light in a number of ways. It may be disclosed by the adult, another service user, family member or another third party. It may be alleged by someone or indicators of abuse may be noted. A safeguarding concern may also be suspected because of other behaviours.

Should the adult choose to disclose a safeguarding concern it is important to remember that it will have taken a great amount of courage for the person to tell you that something has happened and indeed, fear of not being believed can cause people not to tell in the first place. Every disclosure must be taken seriously.

KEY LEARNING POINT

At the point of disclosure, the staff member should be aware that their role is to

- receive the concern in whatever way the adult wishes to disclose it
- to offer immediate assistance
- to report the matter appropriately

COMMUNICATING WITH AN ADULT MAKING A DISCLOSURE

DO	DO NOT
If the adult has specific communication needs, provide support and information in a way that is most appropriate to them and consider if there is there another other person who might act as a support or advocate for the adult.	Do not question the adult for more information than they wish to disclose.
Speak to the adult in a private and safe place (taking into consideration the location of the abuse and the person allegedly causing concern).	Do not stop someone from disclosing.
Take time to listen to the adult. Accept what the person is saying. You can ask questions to clarify the basic facts and ensure you understand what has been said. However, it will not be necessary to question the adult for all the details of the concern. You may not need all the details at this point.	Do not ask them to justify what they are saying.
Offer the adult reassurance that you take what they have said seriously.	Do not display negative emotions or appear shocked.
Give the adult information about the adult safeguarding process and how it could help to make them safer.	Do not promise that you will be able to keep what the person says a secret.
Explain confidentiality issues, how they will be kept informed and how they will be supported. Make it clear that you will need to share details of the concern with other key individuals (e.g. your line manager and designated officer).	Do not contact the person allegedly causing concern. This will be a consideration for the designated officer/ line manager. Do not leave details on a voicemail or email (and assume your responsibility has been discharged). The safeguarding concern needs to be reported to your line manager/ designated officer/ senior manager in person or over the phone on the day on which it occurs or is disclosed.
Ask the adult what they want to happen next and what outcome they would like.	Don't interview the person, just listen carefully and calmly to what they are saying. If the person wants to give you lots of information, let them.
Reassure the adult that their will and preference will be respected.	
Try to remember what the person is saying in their own words so that you can record it later.	
Report the safeguarding concern without delay. Make a record of what was said as soon as possible	



CONSIDER IMMEDIATE PROTECTION

Make an initial evaluation of the risk and take steps to ensure that the adult is in no immediate danger. If there is an immediate danger, ensure the safety of the person(s)

- Where appropriate, seek assistance from a colleague and/or line manager
- Where appropriate seek medical assistance and/or the assistance of An Garda Síochána
- Consider if there are other adults who are at risk of abuse, and take appropriate steps to safeguard them
- Consider supporting and encouraging the adult to contact An Garda Síochána if a crime has been or may have been committed
- Take steps to preserve any physical evidence if a crime may have been committed

Information you should provide on raising concerns

As soon as possible on the same day, make a written record of what you have seen, been told or have concerns about. Make a note of anyone else that saw or heard anything relating to the concern and advise them to make a written report also. Specify when the disclosure was made, or when you were told about/witnessed the incident(s). Specify who was involved and any other witnesses, including people who use our services and other staff. Specify exactly what happened or what you were told, using the person's own words, keeping it factual and not interpreting what you saw or were told. Written records must reflect as accurately as possible what was said and done by the people involved in the incident or concern.



EXAMPLE OF A WRITTEN REPORT

I witnessed Lucy Rainey shout at Martin Cunningham at 3pm today (01/05/2023) in the kitchen of the Ashfield day centre. There were no other people around. Lucy said to Martin that she thought he was "F*** useless". She wished he was not in her workshop. She said she would tell her manager to get Martin out of her class as she considered him a burden. Her voice was loud. Martin was shaking. I reported to my line manager (name) and Designated Officer today at 3.05pm

Signed: _____

Title: _____

Dated: _____

Preserving physical evidence

In cases where there may be physical evidence of crimes (e.g. physical or sexual assault), contact An Garda Síochána without delay. Ask their advice about what to do to preserve evidence.

As a guide;

- Where possible leave things as and where they are. If anything has to be handled, keep this to an absolute minimum
- Do not clean up
- Do not touch anything you do not have to
- Do not throw anything away which could be evidence
- Do not wash anything or in any way remove fibres, blood etc. Do not interfere with the clothing and footwear of the victim
- Preserve anything used to comfort or warm the victim, (e.g. a blanket)
- Note in writing the state of the clothing of the victim (and person allegedly causing concern, as appropriate)
- Note injuries in writing

Preserving physical evidence

If necessary, take steps to secure the room or area where the incident took place. Do not allow anyone to enter until An Garda Síochána arrives.

In cases of sexual assault

- Preserve bedding and clothing where appropriate, do not wash. Try not to have any personal or physical contact with either the victim or the person alleged to have caused the harm.
- Offer reassurance and comfort as needed, but be aware that anyone touching the victim or source of risk can cross contaminate evidence.

For further information please refer to guidance document '[Liaising With of An Garda Síochána](#)'.

Where the person allegedly causing concern is a member of staff

If you are concerned that a member of staff in your organisation is a person of concern you have a duty to report these concerns. You must inform your line manager immediately. If informing your line manager will involve a delay you should report the concern to the duty/acting line manager, Designated Officer or Safeguarding Manager immediately. If you are concerned that your line manager is the person allegedly causing concern you must inform your Designated Officer, or Safeguarding Manager and other senior manager without delay. Please see Trust in Care Policy 2006 (or your local HR policy) for further information regarding allegations against staff.

In exceptional circumstances where you do not feel safe or fear retaliation or victimisation, you can report your concern under Protected Disclosure legislation. In addition you may wish to raise your concern with the Office of the Confidential Recipient. List contact numbers here.

Taking immediate action to respond to a safeguarding concern

Once any immediate safeguarding issues have been dealt with, and the matter has been reported, the line manager and the Designated Officer within the organisation will ensure that the most appropriate safeguarding course of action will be taken without delay and in conjunction with the adult themselves.



SEEKING CONSENT

All adults have the right to choice and control in their own lives. As a general principle, no action should be taken for, or on behalf of, an adult without seeking their consent. While we assume that all adults have capacity to consent, there may be occasions where decision making capacity may be questioned or the adult may lack decision making capacity in certain areas. If it is felt that the adult may not have the cognitive capacity to understand the relevant issues and to give consent, it should be explained to them as far as possible, given the person's communication needs, with opportunities for capacity building. They should also be given the opportunity to express their wishes and feelings. Consent is the giving of permission or agreement for a treatment, investigation, receipt or use of a service or participation in research or teaching. Consent involves a process of communication about the proposed intervention in which the person has received sufficient information to enable them to understand the nature, potential risks and benefits of the proposed intervention. Seeking consent should usually occur as an on-going process rather than a one-off event. Also see [HSE Consent Policy 2022](#)



SEEKING CONSENT

Safeguarding interventions without the consent of the person should only happen under certain limited circumstances. Such intervention needs to be proportionate to the risk and the necessity evidenced by professionals in each case. Consider:

- Is another adult at risk from the person causing concern?
- Is there a child protection concern?
- Is a crime suspected or alleged?
- Is the adult subject to repeated abuse?
- Does the risk of further abuse exist?
- Is there is a risk to another adult in a vulnerable situation?
- Is there reason to believe the person allegedly causing concern is a risk to themselves/others?
- Is there a legal obligation to report a safeguarding concern?

LIMITS TO CONFIDENTIALITY

Once a safeguarding concern has been identified there is a responsibility on the service to assess the concern and any risk that is subsequently identified. There will be occasions where speaking to the adult could put them at further or increased risk of harm. This could be, for example, due to a risk of removal of the adult from the local area, or an increase in threatening or coercive controlling behaviour (if the person alleged to be causing the concern were to know that the adult had told someone about the abuse or neglect).

There are limits to confidentiality and circumstances whereby a member of staff must share information even if this is against the express wish of the adult. The safety of the adult and the potential for increasing the risk should always be considered when planning to speak to the person. Any such situations where there is the potential for endangering safety or increasing risk should be assessed carefully and advice taken from your line manager, Designated Officer and/or from the Safeguarding and Protection Team as appropriate.