



Working Towards Effective Adult Protection

Workshop B

The complexity of managing adult protection investigations

Colm Lehane – Clara Learning Limited

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Purpose of Adult Protection System

- To prevent abuse before it happens
- To stop abuse as soon as it's known about
- To prevent further abuse for victims and by perpetrators
- To help a vulnerable victim consider options for:
 - ACCESS TO SUPPORT & PROTECTION
 - REDUCING VULNERABILITY
 - REDRESS & ACCESS TO JUSTICE

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Multi-Agency Principles

- Actively work together
- Actively promote empowerment and well being
- Act in a way which supports the rights of the person
- Recognise people unable to take their own decisions and/or protect themselves
- Right to self determination can involve risk
- Ensure the safety of the vulnerable adult
- Ensure that when the right to an independent lifestyle and choice is at risk the individual concerned receives appropriate help
- Ensure the law and statutory requirements are known and used appropriately

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Roles & Responsibilities



- Private, voluntary, statutory sectors
- Contact Adult Services to use AP procedures
- Contact Police/Gardai if there is a serious crime
- Contact Inspection Services if a regulated service

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Operational Responsibilities

- Adult Services statutory organisations are responsible for co-ordinating multi-agency actions, recording findings and outcomes
- Police/Gardai are responsible for investigating crime (not all abuse is a crime)
- Inspection and Contract Officers are responsible for enforcing regulations and standards in services
- Organisations and communities must work together to help vulnerable adults & have zero tolerance of abuse

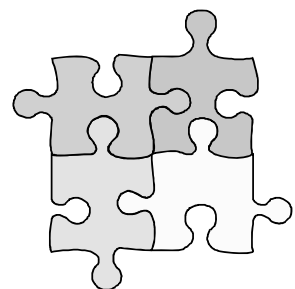
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Protection Based Procedures

- Initial Response
- Action Following Referral
- Investigation/Assessment
- Adult Protection Plans
- Monitoring & Reviewing



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The multi-agency 'Safeguarding Adults' procedures stages

- **Alert** Reporting concerns of abuse or neglect which are received or noticed within a partner organisation. Any immediate protection needs are addressed
- **Referral** Placing information about that concern into a multi-agency context
- **Decision** Deciding whether the 'Safeguarding Adults' procedures are appropriate to address the concern
- **Safeguarding assessment strategy** Formulating a multi-agency plan for assessing the risk and addressing any immediate protection needs
- **Safeguarding assessment** Co-ordinating the collection of the information about abuse or neglect that has occurred or might occur. This may include an investigation e.g. a criminal or disciplinary investigation
- **Safeguarding plan** Co-ordinating a multi-agency response to the risk of abuse that has been identified
- **Review** The review of that plan
- **Recording and monitoring** Recording and monitoring the 'Safeguarding Adults' process and its outcomes

Suggested Timeframes

- **Alert** Immediate action to safeguard anyone at immediate risk
- **Referral** Within the same working day
- **Decision** By the end of the working day following the one on which the safeguarding referral was made
- **Safeguarding assessment strategy** Within five working days
- **Safeguarding assessment and report** Within four weeks of the safeguarding referral
- **Safeguarding plan and actions** Within four weeks of the safeguarding assessment being completed
- **Review** Within six months

RECORDING STANDARDS

- Legible and concise
- Clear heading indicating purpose
- Signed and dated
- Clearly identify the victim and alleged perpetrator names
- Separate fact and opinion
- Record concerns at early points, creating a history – about the adult, relationships and service delivery
- Record views of adults and carers when you consult, including whom you consulted

Purpose of Co-ordinated Joint Investigations

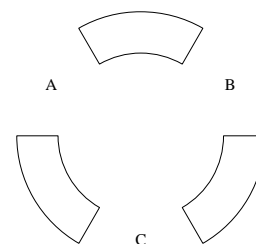
- To prevent vulnerable adults being interviewed more than once on the same matters
- To plan interviews/assessments by appropriately trained staff, in a sensitive manner, and to aid effective participation and communication
- To conduct timely assessments/investigations and minimise distress
- To plan for the health, safety and support of the vulnerable person - managing high risk situations
- To enable lawful, proportionate and effective joint decisions in upholding statutory and procedural requirements of organisations

Early consultation with Police/Gardai

- Need to clarify if a criminal act has been committed
- Give guidance on the preserving of forensic evidence
- Undertake joint investigation
- The immediate protection plan may come from the Police/Gardai investigation

Key Considerations of Co-ordination

- To ensure service users and (when appropriate) carers are included
- To ensure organisations deliver effective protection within the procedures to achieve the above in a sensitive, efficient and effective manner
- To ensure staff are supported
- To ensure the protection system is performance managed



Tasks of Joint Investigation/Assessment

- Deal with immediate safety and risk of harm
- Gather and share relevant information, and keep other people informed
- Assess support needs and risk of further harm to vulnerable adults and services
- Decide on action to be taken re: alleged perpetrator
- Agree and record consensus findings on the balance of probability
- Identify key outcomes **with**/for the vulnerable person
- Establish and action proportionate safeguarding plan(s) to prevent recurrence/reduce vulnerability to the risk of abuse/improve services as required
- Identify good practice and lessons to be learned

Investigations in Tandem

- Criminal Investigations (by Police/Gardai & CPS/DPP)
- Disciplinary Investigations (by Employer) or Professional Body
- Regulatory Investigations (by Inspection Services, Medical Bodies, Food Safety Agency, Trading Standards, Financial Auditors etc)
- Inquest (Coroner)
- Other Investigations/Assessments (Contracts, Reviews of residents, etc)

Safeguarding Adult Meetings

- Must ensure that discussions, decisions and actions are focused on reducing the risk of significant harm to vulnerable adults, in light of their own choices
- Must ensure that all participants take care to distinguish between fact, observation, allegation and opinion
- Must ensure that decisions are taken in an informed, systematic and explicit manner, seeking a balance of views and perspectives to ensure that effective, proportionate plans are agreed
- Must record clear decisions, timescales, communication channels in what may become a legal document

Role of Strategy Discussion/Meetings

- Decide on the course of action
- Who will be doing what in the investigation and assessment
- Consider impacts of decisions made
- May have to consider resource issues
- Decide the further need for strategy meetings or case conferences
- Immediacy of harm
- Degree of vulnerability
- Capacity and consent matters
- Type & extent of the concern
- Impact on the vulnerable adult
- Nature of the relationship between the vulnerable person and the alleged abuser
- Risk to others/services

Key issues in Strategy Discussion/Meetings

- Evaluate information available
- Agree what further information is required
- Explicit about the agreed action
- Identifying the best persons/organisation to undertake the work
- Consider how different actions relate to one another and in which order should they occur
- Agree timeframes for actions
- Identify how information will be fed back to the group
- Consider the interview process
- Consider key practice issues
- Focus on Outcomes:

Role of Case Conferences

- Share and evaluate the information in the investigators report
- Consider the finding & current levels of risk
- Agree the legal context for intervention
- Decide on key roles and responsibilities
- Consider the support wanted/needed with the vulnerable person
- Advise and agree a protection plan with the adult, and actions re: perpetrator
- Provide opportunities for all present to be aware of the nature of concerns and the reasons for action
- Provide opportunities for organisations and individuals to share their perspective
- Agree the reporting back & review processes



Key issues in Case Conferences

- A Adult Protection Meeting is different to a strategy meeting
- The aim is to make formal joint decisions
- This is done in collaboration
- Considers risk and risk management
- Focus on the longer term perspective (reduce vulnerability to abuse)
- Sets out clear expectations of roles and the multi-agency response



Protection Planning Principles

- Ensure protection by least restrictive option
- Minimise risk of further abuse
- Support and help (ongoing)
- Resource agreement
- Providing safe and continued service provision
- Monitor and review safety, risk & support
- Evidenced based, proportionate action



Critical Stages in Protection Process

- Determining what has happened and determining the extent of harm (actual or potential)
- Understanding the context of the vulnerable person and the context of their environment
- Capacity to contribute to improved wellbeing or safety
- Determining the likelihood for change
- Identifying clear actions
- Showing the process through recordings
- Continuous process including the reviewing whether such change has been achieved