

ANNUAL REPORT 2019

Promoting the rights of
vulnerable adults

safeguardingireland.org



Safeguarding
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Foreword.

I am pleased, on behalf of Safeguarding Ireland, to present this annual report for 2019. This has been a transformative year for us and, ultimately, for the people who are at the centre of what we do, namely the most vulnerable and at-risk people in society.

Safeguarding Ireland was established in 2015, originally as the National Safeguarding Committee, as one of the structures outlined to support the implementation of the HSE's safeguarding policy – **Safeguarding Persons at Risk of Abuse – National Policy and Procedures**. Initially, the Committee was made up of over thirty members from many different agencies. It became clear over the ensuing years, as the National Safeguarding Committee became more active in pursuit of its aims, that it needed to clarify its purpose and strengthen its governance. A company - National Safeguarding Ireland trading as **Safeguarding Ireland** (a company limited by guarantee) - was incorporated and registered as a charity with the Charities Regulatory Authority. Safeguarding Ireland is now the governing body with a Board of Trustees.

Safeguarding Ireland has established a National Safeguarding Advisory Committee which is representative of a wide range of agencies and organisations. The purposes of this Committee include assistance with strategy, both review and implementation; offering advice to the Board of Safeguarding Ireland in the fulfilment of its objectives; contributing expert guidance on and experiential insight into specific safeguarding issues; and advising on the most effective means of promoting and monitoring progress towards inter-professional and inter-sectoral collaboration in furtherance of the safeguarding of vulnerable adults.

Safeguarding Ireland could not carry out its functions without financial support. In that regard, I am very grateful to the Health Service Executive, as our main funder, for its continued financial support and its continued commitment to the safeguarding agenda.

Safeguarding Ireland's ultimate aim is the enactment of adult safeguarding legislation. We will continue to pursue that as the best means of protecting at-risk adults from abuse, exploitation and neglect.

Thank You.



A handwritten signature in black ink, appearing to read 'Patricia Rickard-Clarke'.

Patricia Rickard-Clarke.
Chair.

The main object for which the Company is established is to promote safeguarding of adults who may be vulnerable, protect them from all forms of abuse by persons, organisations and institutions and develop a national plan for promoting their welfare. This will be achieved by promoting inter-sectoral collaboration, developing public and professional awareness and education, and undertaking research to inform policy, practice and legislation in the Republic of Ireland.

Subsidiary Objects

As objects incidental and ancillary to the attainment of the Main Object, the Company shall have the following subsidiary objects: -

To do the following for the benefit of adults in the Republic of Ireland who may be vulnerable:

- (a) To raise public understanding of attitudes, behaviours, circumstances and systems that create vulnerability that may result in abuse and that may require a safeguarding response.
- (b) To promote the protection and rights of people who may be vulnerable by encouraging organisations and services to recognise, prevent and deal with exploitation and abuse effectively
- (c) To inform and influence Government policy and legislation to safeguard the rights of people who may be vulnerable.

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Governance and Structure

In December 2014, the Health Service Executive published its safeguarding policy – **Safeguarding Persons at Risk of Abuse – National Policy and Procedures**. Prior to its publication, the HSE had a dedicated elder abuse service. The new policy marked an expansion of the HSE’s safeguarding services to include all adults at risk of abuse.

The HSE’s safeguarding policy outlined a number of structures to be established in order to support its implementation. These included the establishment of Safeguarding and Protection Teams in each HSE administrative area, the establishment of multi-agency Safeguarding and Protection Committees in each HSE administrative area and the establishment of a National Safeguarding Committee with an independent chair. The establishment of this national committee was an acknowledgement of the fact that safeguarding adults at risk of abuse could not effectively reside in one agency and a recognition of the need for a whole of society response to safeguarding issues. In this regard and in view of the representation on the Committee of a number of different agencies, it was deemed important that the Chair be independent.

The National Safeguarding Committee was formally launched in December 2015 and held its first meeting in early 2016. One of its first aims was to develop a strategy to guide its work and, in its first year, it developed a five-year strategy – **National Safeguarding Committee Strategic Plan 2017-2021**.

In order to drive the strategy and manage the day-to-day work of the Committee, a Strategy and Resources Group was established.

Over the last year, as the Committee’s work has developed, it became apparent that the governance structures and decision-making processes required review. In the latter part of the year, the Committee has developed its structure and governance in order to further promote its independence, strengthen its governance arrangements and bring about greater clarity on its role. In that context, the agency has been registered with the Registrar of Companies as National Safeguarding Ireland and permission has been granted to exclude the words “company limited by guarantee” from the name of the company. The business name of Safeguarding Ireland has also been registered and the company is trading as Safeguarding Ireland. Safeguarding Ireland is also registered with the Charities Regulatory Authority. The list of the Board Directors of Safeguarding Ireland is outlined in Appendix 1.

The multi-agency collaboration and expertise vested in many groups and individuals is a very important aspect in contributing to Safeguarding Ireland’s objectives. To that end, a National Safeguarding Advisory Committee was established. The purpose of this Committee is to advise and collaborate with Safeguarding Ireland on issues related to safeguarding vulnerable adults. A number of organisations and individuals, from the statutory, business and voluntary sectors, have been invited to participate in this Committee. Groups and individuals are invited onto the Committee based on their skills and expertise relevant to the safeguarding agenda and on sectoral or issue-based insights or experience.

The Board of Directors of Safeguarding Ireland has and will continue to set up working groups to consider specific issues.

Main Activities in 2019

Public Awareness.

Safeguarding Ireland is of the view that raising awareness of issues related to safeguarding and promoting the rights of adults who may be at risk of abuse is critical in combatting safeguarding concerns. Therefore, public awareness campaigns are a very important element of its work.

Each public awareness campaign and its messages are informed through commissioning research through RedC. Safeguarding Ireland carried out two major public awareness campaigns during 2019. The first was in May encouraging the public to ‘call out’ abuse of vulnerable adults. The key messages of the campaign were:

- Tougher laws would encourage the public to ‘call out’ abuse of vulnerable adults.
- 10% have witnessed abuse of a vulnerable adult in the past year.
- Public seeks dedicated 24-hour helpline for adult abuse.



**I only take
a few euros
to cover
my expenses.
I never thought
of it as abuse.**

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I locked the door to keep him safe when I went shopping. I never saw it as abuse.

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The second campaign was in November and was a joint campaign with Banking & Payments Federation Ireland. This campaign encouraged people to 'have that conversation' and plan ahead in relation to their finances. The key messages of that campaign were:

- 20% of Irish adults have experience of financial abuse.
- There is a need for much greater awareness of risks of financial abuse.
- Call for all adults to plan ahead to safeguard finances.

Each campaign involved the commissioning of research carried out by RED C; news releases and media interviews; local radio advertising; online advertising in newspapers and social media; and social media activity. The Safeguarding Ireland website – safeguardingireland.org – was kept up-to-date with all of the information and research relevant to each campaign.

The campaigns also involved updating and significant engagement with stakeholder organisations across the country with an interest in safeguarding. For the May campaign, a dedicated information leaflet was developed and distributed nationwide.

Media and Public Engagement

Safeguarding Ireland issued 11 news releases during 2019. These were on:

1. Call for enactment of safeguarding laws.
2. Call for legislation to underpin safeguarding standards.
3. Statement at national seminar on Assisted-Decision Making.
4. Public awareness campaign on financial abuse.
5. Call for legislation to underpin human rights.
6. Call for more legal powers for the HSE Safeguarding and Protection Teams.
7. Call for State supports to encourage more people to **Think Ahead**.
8. Call for a national initiative to increase EPAs and Advance Healthcare Directives.
9. Call for urgent delivery of a regulatory framework and national advocacy service.
10. Public awareness campaign on calling out abuse.
11. Statement on concerns being raised by those who experience abuse.

These included repeat media interviews and coverage across all of the major radio talk shows in Ireland - RTÉ TV news, Virgin Media One TV news, all of the major national newspapers, ongoing interviews on local radio stations and local newspapers – and features and Opinion Editorials. Relevant news releases were also circulated to TDs, Senators and political parties. In addition, a high volume of engagement on social media took place related to each news release.

All of the public awareness information that was developed can be found in the News, Public Awareness and Resources sections of the website at www.safeguardingireland.org



Safeguard your money.
Talk about your finances with someone you trust.
safeguardyourmoney.ie



Protect yourself from financial abuse.
Talk about your finances with someone you trust.
safeguardyourmoney.ie



Website

Safeguarding Ireland has an informative and up-to-date website – www.safeguardingireland.org

The website contains contact details, has all the materials from the public awareness campaigns and contains many relevant publications and research papers.

Other Activities

Safeguarding Ireland continued its work through involvement with sub groups. One such group is in relation to state payments.

The Terms of Reference of the State Payments Group are -

1. Identify the safeguarding issues that arise in the current arrangements (statutory, administrative or informal arrangements) where payments are paid by the State to a third party or to a nominated bank account either with the authority of the recipient or where the recipient does not have the decision-making capacity to give such authority.
2. Make recommendations to prevent abuse with regard to the payment arrangements of such payments while also having regard to HIQA's role in setting standards and carrying out inspections on the management of the recipients' monies in those settings which come under its remit.
3. Make recommendations for the development of appropriate banking arrangements with regard to payments to a bank third party account and/or a nominated account and the opening of a bank account for a person whose capacity is in question.
4. Review the existing arrangements whereby the HSE is appointed agent in relation to state payments and make necessary recommendations.
5. Examine the feasibility of data sharing between Government Departments, the HSE and banks to ensure elimination of abuse having regard to the need to respect the privacy of each recipient of a state payment.
6. Suggest options for a public awareness campaign around the issue of state payments.

In December, 2017, Safeguarding Ireland produced a paper entitled ***"A Review of the Current Practice on use of Wardship for Adults in Ireland"***. This paper contained a number of recommendations and, in 2018, Safeguarding Ireland wrote to the Law Society of Ireland, the Department of Justice and the HSE in relation to the need to implement the recommendations. In response to this, the HSE established a Group on Wardship and its Terms of Reference are -

1. Develop and Implement a Communications Plan to increase awareness of staff obligations in relation to the HSE National Consent Policy.
2. Audit a sample of key documentation from across the HSE to see if they reflect good practice in the area of consent in reference to services where service users may be considered for Ward of Court Applications.
3. Develop a proposed application framework and best practice principles for HSE services and managers who are considering Wardship.

4. Undertake a mapping exercise to identify current Wards of Court in HSE and HSE funded services.
5. Develop a proposal for undertaking a review of existing Wards of Court in HSE and HSE funded services.

Some of the other activities of Safeguarding Ireland in 2019 are as follows.

- Submission to the Minister for Justice and Equality on the Domestic Violence Act 2019. The Chair of Safeguarding Ireland presented a Workshop to the Association of Criminal Justice and Research Development on **Safeguarding Older Persons: Legislative Gaps**.
- Members of Safeguarding Ireland were invited by the CEO of the Institute of Banking to participate in a Roundtable Discussion on **Approaches for Supported Decision-Making in Consumer Banking in Ireland** with guests from England which included a member of the House of Lords.
- Presentation to the Department of Health's Steering Group on **National Policy on Adult Safeguarding in the Health Sector**.



L to R; James Gorman, HSE; Siobhán Nunn, HSE; and Patricia Rickard-Clarke, Safeguarding Ireland, at the launch of the Human Rights Based Approach to Care at the INMO Headquarters, Whitworth Building, Dublin.

- Submission to the Minister for Justice and Equality following the Supreme Court decision in AC v University Hospital Cork for the immediate repeal of the wardship regime and to provide funding to the Legal Aid Board to assist persons who are the subject of wardship applications.
- Participation in Seminar on **Drilling Deep into the Assisted Decision-Making (Capacity) Act 2015-Considerations for Health and Social Care Practice** sponsored by UCC, HSE and the Decision Support Service.

- In conjunction with HIQA, the development of the document - **Guidance on a Human Rights-based Approach in Health and Social Care Services** - <https://www.safeguardingireland.org/resources/>



L to R: Ms. Patricia Rickard-Clarke; Ms. Siobhán Nunn; Senator Colette Kelleher; Minister Finian McGrath; Áine Brady, CEO Third Age.

- The Chair of Safeguarding Ireland was invited to address the launch of the **National Standards for Adult Safeguarding (HIQA and Mental Health Commission) 2019** <https://www.safeguardingireland.org/resources/>
- The Chair of Safeguarding Ireland was invited to address attendees at the launch of the report - **Falling Through the Cracks** - commissioned by Senator Colette Kelleher <https://www.safeguardingireland.org/resources/>
- Commissioning of a research project focusing on the development of a sharper insight into, and encouraging public and policy debate about, the respective responsibilities of individuals/families and the State in ensuring that care and support to people who need it in their later years is delivered and financed in a fair, equitable and transparent manner. This research is ongoing.

Accounts

Safeguarding Ireland's Financial Statements for the financial year ended 31st December, 2019 are available at – <https://www.safeguardingireland.org/about/>

Appendix 1.

Board of Directors

Ms. Patricia Rickard Clarke – Chair.

Mr. David Byrne – Former AG and European Commissioner for Health and Consumer Protection.

Mr. Colm Nolan – Society of Financial Planners Ireland.

Ms. Annmarie O'Connor – Business Manager MABS Support CLG.

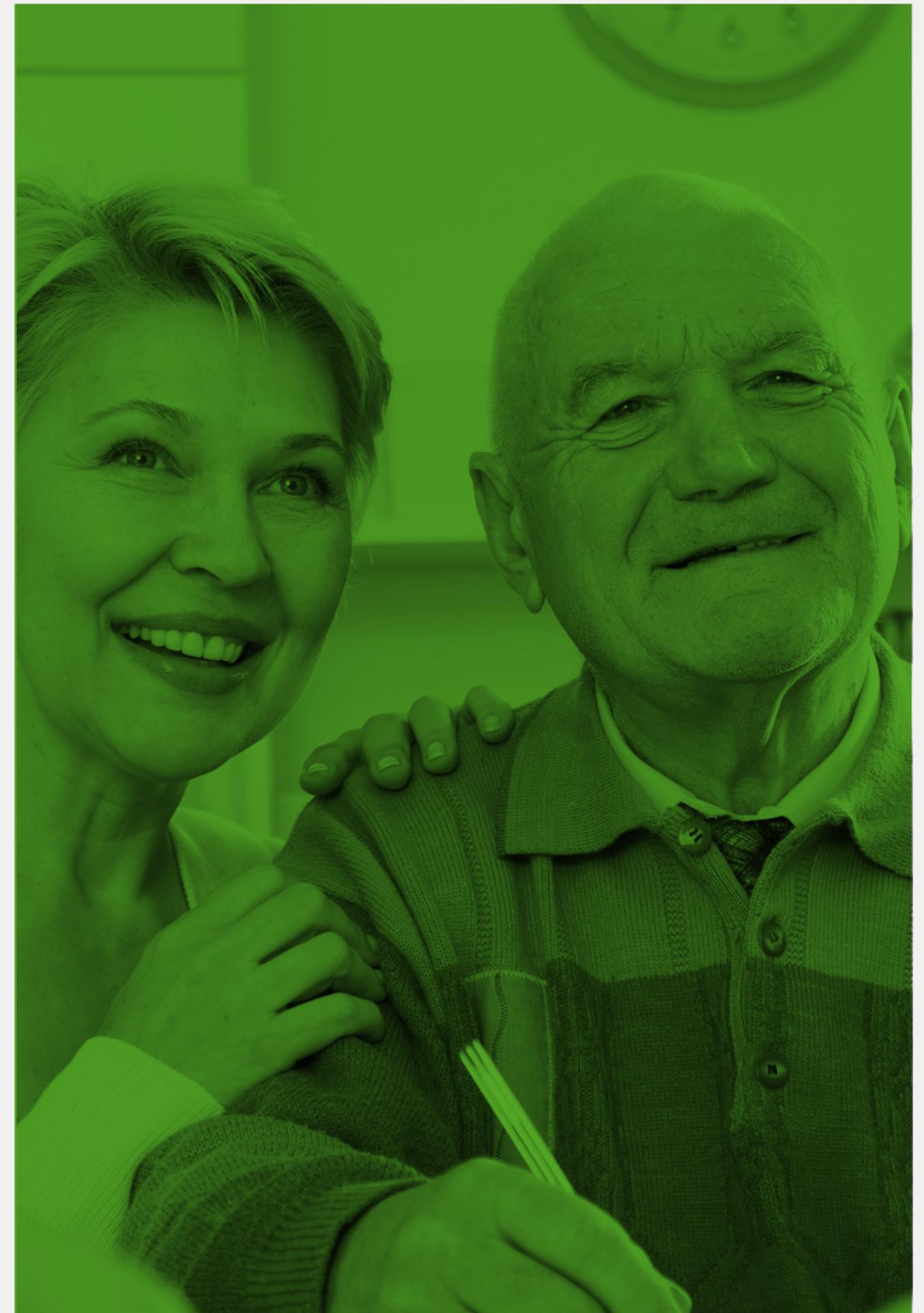
Ms. Louise O'Mahony – Head of Sustainable Banking BPFi.

Ms. Nora Owen – Former Minister for Justice.

Professor Amanda Phelan – School of Nursing, Midwifery and Health Systems, Trinity College Dublin.

Mr. Phelim Quinn – CEO Health Information and Executive Director.

Mr. Mervyn Taylor – Executive Director of SAGE.



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