

Strategic Plan 2013-2018

Northern Ireland Adult Safeguarding Partnership

Written Evidence submitted by the Commissioner for Older
People for Northern Ireland

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Summary and Recommendations

The Commissioner for Older People for Northern Ireland (the “Commissioner”) welcomes the publication of the Strategic Plan 2013-2018 of the Northern Ireland Adult Safeguarding Partnership (NIASP). The Commissioner supports the commitment of all the organisations working with NIASP and Local Adult Safeguarding Partnerships (LASPs) to work together to improve services to safeguard adults at risk.

The Commissioner supports the aim of the Strategic Plan as a response to the growing recognition that a wide range of adults, for a variety of reasons, are at risk of harm from abuse, exploitation or neglect.

The Commissioner welcomes the provision of clarity of role, purpose and function and supports the offering of a single, coherent message in relation to adult safeguarding across the region. The Commissioner also feels it is important that there is an agreed framework for LASPs, Trusts and other partner organisations to develop their own strategies and work plans. The strategies and plans must be mindful that older people should be recognised first and foremost as individuals who have rights, have made and continue to make a contribution to our society, and who make choices and decisions about their own lives, preferences, activities and opinions.

Older people will of course be impacted by issues arising in the provision of adult safeguarding services. Nearly one half of the Care and Protection Plans commenced during 2011-12 in Northern Ireland, were in relation to older people and prevalence data suggests that approximately 2% of those aged over 64 years will experience some form of abuse every year – using the latest census data, in Northern Ireland this means 5,274 people. The Commissioner is of the view that any proposals for adult safeguarding reform should, therefore, ensure the full participation of older people including those whose voices are traditionally not heard. The equality and human rights impact of any proposals on older people must also be monitored.

Introduction

1. The office of the Commissioner for Older People for Northern Ireland is an independent public body established under the Commissioner for Older People Act (Northern Ireland) 2011.

2. The Commissioner has an extensive range of general powers and duties which will provide the statutory remit for the exercise of her functions. In addition, the Commissioner may provide advice or information on any matter concerning the interests of older people. Her wide ranging legal powers and duties include amongst others:

- To promote and safeguard the interests of older people (defined as being those aged over 60 years and in exceptional cases, those aged over 50 years);
- To keep under review the adequacy and effectiveness of law and practice relating to the interests of older people;
- To keep under review the adequacy and effectiveness of services provided for older persons by relevant authorities (defined as being local authorities and organisations including health and social care trusts, education boards and private and public residential care homes);
- To promote the provision of opportunities for and the elimination of discrimination against older persons;
- To review and where appropriate, investigate advocacy, complaint, inspection and whistle-blowing arrangements of relevant authorities;
- To assist with complaints to and against relevant authorities;
- The power to bring, intervene in or assist in legal proceedings in respect of relevant authorities;
- To issue guidance and make representations about any matter concerning the interests of older people.

3. The Commissioner's powers and duties are underpinned by the United Nations Principles for Older Persons (1991) which include Independence, Participation, Care, Self-fulfilment and Dignity.

4. The Commissioner welcomes the opportunity to provide comments to NIASP on their draft Strategic Plan.

Question 1: The Strategic Plan sets out 7 themes for the actions necessary to improve services to safeguard adults at risk in Northern Ireland.

Do these broad themes reflect what is needed to be done to improve these services?

1. Leadership and Partnership Working

The Commissioner agrees that adult safeguarding is not a “stand alone” activity and that it should be placed at the heart of a network of strategies and plans. These strategies and plans must be comprehensive, effective and robust. Each sector or organisation involved must be fully aware of their own role, duties and responsibilities, as well as those of the other partner sectors/organisations. Each organisation must be able to make timely referrals to the most appropriate body to be engaged in each particular stage of the process. Only if all of this is achieved, will there be cohesion and consistency in the safeguarding process, with a significantly reduced risk of something being missed. This is not easily achieved and the planning and implementation of steps to increase partnership working will be fundamental to its effectiveness. The Commissioner encourages officials to consider the best available practice in this field and calls on the Minister to ensure that structural barriers are minimised as far as possible.

2. Public Awareness and Prevention

The Commissioner acknowledges that public awareness of the potential for and occurrence of abuse, exploitation and/or neglect of adults at risk is increasing. Unfortunately, this awareness is likely to be due to the media coverage of incidences of abuse, such as the recent story of the alleged sexual assault of a resident of a Belfast care home and the recent trial of Heather Noble in relation to the alleged financial abuse of her elderly mother, a charge of which Ms Noble was acquitted.

The Commissioner agrees that it is very important to have a single consistent message for the general public that supports a “zero tolerance” attitude to all forms of harm, but it is even more important that the signs and symptoms of harm are widely recognised, understood and acted upon immediately, without fear of repercussion.

The Commissioner would welcome details of the community based prevention plans currently being developed by LASPs, together with more information as to how LASPs intend on targeting “hard to reach” groups and whether these groups will include older people, whose voices are traditionally not heard.

It is a key element of the Commissioner's current Corporate Plan to undertake a project into Elder Abuse in Northern Ireland, with a comparison of the existing legislation in this area throughout the different UK jurisdictions, make recommendations to Government and produce a guide to the current adult safeguarding services in Northern Ireland. As such, the Commissioner would also like to receive more information in relation to NIASP's plan to develop and make available information and advice on keeping safe and how to access adult safeguarding services.

Under the Commissioner for Older People Act (Northern Ireland) 2011, the Commissioner has a duty to promote an awareness of the interests of older people. As such, and in light of the promotion the Commissioner herself will be undertaking at the conclusion of the Elder Abuse project, she would be happy to work with NIASP in their public awareness raising campaign, possibly via the use of COPNI's website.

3. Access to Adult Safeguarding Services

The Commissioner agrees that it is vital that people find it as straightforward as possible to express concerns or make a referral to adult safeguarding services. They must immediately know who to contact, how to do it, what will happen and the timescales involved. It is imperative that organisations receiving referrals have clear, easily accessible and widely publicised processes and systems which are as accessible outside of normal office hours. The Commissioner would be interested to know the detail of plans to raise awareness of this issue and offer whatever assistance can be provided.

The Commissioner welcomes the streamlining of the process and concurs that the process as a whole must support "whistle blowers". The Commissioner has received, through the casework of her office, allegations of covert practice in some residential and nursing homes in Northern Ireland, of staff being threatened and pressurised to not report incidents or to change stories. In light of recent reports and the pressure on regulators, there must be more support for "whistle blowers" to give them a clear line of sight. This alleged practice of pressure, in all its varying forms, must not be allowed to continue unchallenged.

The Commissioner looks forward to learning the details of the internal lines of reporting in each partner organisation and the processes for referral for further action. She agrees that the creation and use of an electronic referral form is advantageous. She would suggest that each Health & Social Care Trust / LASP also have a publically accessible (page on their) website, containing clear information as to points and methods of contact (both during and outside of normal office hours) in relation to allegations or suspicions of abuse against vulnerable

adults. The steps in the reporting and investigation process should be explained concisely and logically with links to other pages / websites / organisations for more detailed assistance and information.

The Commissioner would further propose that these websites / pages contain a facility for the reporting of allegations or suspicions of abuse – she understands that currently many of these reports are made via the PSNI but would be concerned that people may be deterred from this route of reporting by thinking that their suspicion is not sufficient to warrant the involvement of the police. This facility may provide a ‘safer or easier’ way to report for some.

4. Effective Interventions

It is agreed that the people who do and will make use of the adult safeguarding services in Northern Ireland are among the most vulnerable in our society, and often these people will present with multiple identities. In this regard, any interventions must be effective, of the highest possible quality and secure the best possible outcomes. The Commissioner looks forward to further details of the draft ‘menu of interventions’ and the ‘standardised, validated risk assessment tool’ when available. She believes it very important that NIASP work with service users and establish partnerships with organisations, with a view to evaluating interventions and developing and disseminating models of best practice - information sharing will no doubt speed the progress in this developing area of policy and practice.

The Commissioner is interested in receiving a report as to the analysis of all consultation responses received by NIASP and any subsequent changes to the Strategic Plan that are proposed.

5. The User Experience

The Commissioner agrees that whatever the origin of contact with adult safeguarding, the user experience should be as supportive as possible, avoid duplication and result in positive outcomes for all concerned. It is fundamental that any overlapping between adult safeguarding and other public safety strategies is identified as early as possible, to reduce the potential for confusion and repetition. The Commissioner thinks it best practice that NIASP develop and implement an audit programme, and build partnership arrangements with various bodies to identify a range of outcomes which originate in the experience of service users, are grounded on the best available evidence and result in an identifiable improvement to the service. As age prevalence data suggests that people over the age of 65 years, are unlikely to report or disclose abuse, the NIASP must ensure that the

views of older people are specifically sought out by the academic institutions and the experts in users based research that they engage.

6. Training and Practice Developments

A confident, competent and trained workforce in all adult safeguarding organisations is also viewed as necessary by the Commissioner. Practitioners must be provided with the appropriate knowledge and skills to deliver adult safeguarding services of the highest quality. Specialist training courses should be regularly reviewed to allow for developments in legislation, policy and practice. It would be best practice to develop a regional menu of adult safeguarding training opportunities to ensure consistency between practitioners across the whole of Northern Ireland. In relation to NIASP's assertion that they will 'develop a validated and recognised post-qualifying award in adult safeguarding', the Commissioner believes that this award should include a learning module dealing specifically with older people. She would like confirmation as to what practitioners this post-qualifying award will be for and which body will validate it?

7. Governance Audit and Quality Assurance

The Commissioner acknowledges the importance of a governance framework for NIASP, the LASPs and partner organisations which is fit for purpose and ensures accountability. It is necessary that this framework sets out core responsibilities, accountability arrangements and standards, that it supports audit and quality assurance and that it guarantees regional consistency across the country in all these aspects.

Question 2: Do you consider the themes to be appropriate and relevant?

The Commissioner does believe that these seven broad themes are appropriate and relevant to the strategy of NIASP. The requirements of older people and those with multiple identities must especially be realised throughout the performance of each of these themes and be evident in the strategic work of the NIASP as a whole. Practitioners must always be mindful *that* older people should be recognised first and foremost as individuals who have rights, have made and continue to make a contribution to our society, and who make choices and decisions about their own lives, preferences, activities and opinions.

Question 3: Are you content with the wording and scope of the themes?

The Commissioner is content with the wording and scope of the themes but again reiterates that older people must be treated fairly, with their views, opinions, experience and ideas listened to and valued. It must be paramount in the entire ethos of NIASP that if older people experience abuse, or are otherwise vulnerable - the support, services, respect and care they need, will be available in ways that support them to live dignified and fulfilled lives. Protection and support for vulnerable older people must be an absolute priority.

The values that underpin the Commissioner's own work are to focus on and include older people; champion the diversity of all older people and to recognise the positive contribution made by older people. She will partner and collaborate and guarantees that she is independent, open and honest and that she acts with integrity and trust. The Commissioner believes that these values and virtues should also be adopted by NIASP.

Question 4: Are you content with the actions included within the themes?

The Commissioner is content with the actions included within the themes. The NIASP, the LASPs and all partner organisations must ensure that older people will receive equality and fair treatment in their contact with adult safe guarding services, feel safe at home and in the community, feel confident that practical support will be available to them as and when it is needed and confident that adult safe guarding services will treat them with dignity and respect while meeting their needs.

Question 5: Are there other actions that should be included?

In relation to accessibility of safeguarding services, as mentioned previously, the Commissioner proposes that each Health & Social Care Trust / LASP also have a publically accessible (page on their) website, containing general "keeping safe" information and details as to points and methods of contact (both during and outside of normal office hours) in relation to allegations or suspicions of abuse against vulnerable adults. The steps in the reporting and investigation process should be explained concisely and logically with links to other pages / websites / organisations for more detailed assistance and information.

The Commissioner would further suggest that these websites / pages contain a facility for the reporting of allegations or suspicions of abuse – she understands that currently many of these reports are made via the PSNI but would be concerned that people may be deterred from this route of reporting by thinking that their suspicion is not sufficient to warrant the involvement of the police. This facility may provide a ‘safer or easier’ way to report for some.

In relation to public awareness and prevention, age prevalence data suggests those over the age of 65 years, are unlikely to report or disclose abuse. As such, the NIASP must ensure that their regional programme of awareness raising activities specifically seek out the views of older people and especially older males – a “hard to reach” group.

Question 6: Are you content with the timescales identified in the Implementation Plan?

The Commissioner believes it vital that at least one awareness raising activity is carried out in each LASP every year, with ideally in the region of 2-3 activities happening in the first few years.

In relation to the adult safeguarding sections on partner organisation’s intranets, The Commissioner feels that some amount of information should be available to the public immediately - Year 3 of the Strategic Plan is too far away to provide basic contact information and advice to those most vulnerable. Furthermore, to wait until Year 5 before establishing a single regional contact for the general public to facilitate referrals outside of normal working hours, if most definitely too long. This contact needs to be in place now.

The Commissioner would seek clarification as to why this extended timeframe has been envisaged? Are there any specific legal or structural barriers to the implementation of these points?

Question 7: Are there any aspects of the Strategic Plan that you consider could be made clearer or easier to understand?

No.

Equality Screening

We have undertaken a screening of the plan in respect of equality and human rights issues.

Question 8: Are you satisfied with the outcome of this screening exercise?

The Commissioner appreciates the effort which has gone into the equality screening but, given the number of older people likely to be impacted by this strategic plan, would like to see confirmation that this exercise will be updated frequently by NIASP – the potential for a significant adverse impact should be addressed by the plan. Will NIASP be reviewing the figures as to frequency of abuse against older people to ascertain whether the Strategic Plan is impacting the rate?

Question 9: If you have any additional comments please tell us.

None.

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