

Union of Sisters of the Presentation of the Blessed Virgin Mary

United States Unit

Safeguarding Vulnerable Adults Policy and Standards

We work to ensure the dignity of persons is respected and their rights upheld by engaging in compassionate service. (Our Way of Life (C7))

Every Unit Community shall have, in keeping with civil and legal requirements of the respective country, and with canonical and congregational requirements a policy for safeguarding vulnerable adults. (Our Way of Life – Directives of the Congregation (D10 a))

We are committed to safeguarding and respecting the sacredness of all life. This commitment is exercised in accordance with Gospel-based values, our Charism, our Constitutions, Directives and Congregational Gathering Documents.

Presentation personnel shall be committed to practices which promote the protection and the welfare of vulnerable adults and safeguard them from harm.

Presentation personnel shall accept and recognize their responsibility to develop awareness of the issues that can harm vulnerable adults. They shall be committed to establishing and maintaining a safe environment. They shall recognize that while safeguarding is everyone's responsibility, all involved in working with vulnerable adults have a special duty of care towards them. It is critical that the right of vulnerable adults to lead as normal a life, as possible, is recognized.

Presentation personnel shall comply with the relevant legislation in relation to vulnerable adults in the civil jurisdiction in which they reside. Standards of care of Vulnerable Adults shall not be less than those outlined in this policy. Communities using agencies or care facilities should refer complaints to these agencies or facilities.

Scope of this Policy and Standards:

This Policy and Standards shall apply to all those with the responsibility for the provision of health care and social care services to vulnerable adults in our Unit. It applies to all Sisters, Presentation staff and volunteers. All are required to read and sign off on adherence to this document.

See page 7 for **Declaration of Adherence Form** to be signed by all persons to whom the policy applies.

Designated Liaison Person

All concerns/reports of abuse must be immediately notified to the **Designated Liaison Person**. See page 8 for contact information of the current **Unit Designated Liaison Person**.

The Designated Liaison Person is responsible for:

- ✓ Receiving concerns of allegations or abuse regarding vulnerable adults
- ✓ Collating basic relevant information
- ✓ Ensuring the appropriate authority is informed and collaboratively ensuring necessary actions are identified and implemented
- ✓ Ensuring all reporting obligations are met
- ✓ Supporting the appropriate authority and other personnel in addressing the issues arising
- ✓ Maintaining appropriate records
- ✓ Other responsibilities as may be assigned

Considerations Regarding Vulnerable Adults

Definition of a Vulnerable Adult:

A Vulnerable Adult is an adult who may be restricted in capacity to guard herself/himself against harm or exploitation or to report harm or exploitation. Restriction of capacity may arise as a result of age, physical or intellectual impairment. Vulnerability to abuse is influenced by both context (e.g. social or personal circumstances) and individual circumstances.

Definition of Abuse:

Presentation Sisters understand the definition of abuse of a Vulnerable Adult as:

Any act, or failure to act, which results in a breach of a vulnerable adult's human rights, civil liberties, physical and mental integrity, dignity or general wellbeing, whether intended or through negligence, including sexual relationships or financial transactions to which the person does not or cannot consent, or which are deliberately exploitative. Abuse may take a variety of forms. ((Vulnerable Adults Policy and Procedures – Congregational Document 2019)

Deprivation of the following rights may constitute abuse:

- Liberty
- Privacy
- Respect and dignity
- Freedom to choose
- Opportunities to fulfill personal aspirations and realize potential in their daily lives
- Opportunity to live safely without fear of abuse in any form
- Respect for possessions

Some Adults may be particularly vulnerable due to:

- ❖ Diminished skills
- ❖ Dependence on others for personal and intimate care
- ❖ Capacity to report
- ❖ Sensory difficulties
- ❖ Isolation
- ❖ Power differentials
- ❖ Fear of reporting and the consequences of reporting

Barriers to disclosure of abuse may occur due to the following:

- ✚ Fear of having to leave their home or service as a result of disclosing abuse
- ✚ Lack of awareness that what they are experiencing is abuse
- ✚ Lack of clarity as to whom they should talk
- ✚ Lack of capacity to understand and report the incident
- ✚ Fear of the alleged abuser
- ✚ Ambivalence regarding the person who may be abusive
- ✚ Limited verbal and other communication skills
- ✚ Fear of upsetting relationships
- ✚ Shame and /or embarrassment

Concerns or allegations of abuse may come to light in a number of ways:

- ✓ Direct observation
- ✓ Disclosure by a vulnerable adult
- ✓ Disclosure by a relative, friend, community member or other person
- ✓ Observation of signs or symptoms of abuse
- ✓ Reported anonymously
- ✓ Complaint through an agency/organization's complaints process
- ✓ Obvious change in behavior

Creating and Maintaining Safe Environments:

In all of our ministries and living places we will:

- ❖ Create safe environments for vulnerable adults in secure premises where all are treated with the utmost respect.
- ❖ Maintain effective procedures for assessing and managing risks to vulnerable adults including risk reducing measures which are reviewed at least annually.
- ❖ Ensure that all Sisters, Presentation employees and volunteers who work with vulnerable adults have law enforcement clearance, are properly recruited, and are adequately trained

in maintaining attitudes, skills and knowledge for keeping vulnerable adults safe. Training shall be updated annually. Accurate record keeping is to be maintained.

- ❖ Ensure that all who work with vulnerable adults have knowledge of appropriate civil laws pertaining to the care of those in their charge.
- ❖ Maintain appropriate staff to adult ratios according to the norms of the state.
- ❖ Ensure that there is appropriate supervision for all activities.
- ❖ Have clear procedures regarding visiting personnel with sign in and sign out procedures.
- ❖ Ensure that an appropriate code of behavior for all who work in the ministry is drawn up and distributed. This code shall contain guidelines relating to physical intervention and restraint; as well as physical contact and intimate care.
- ❖ Ensure that bullying, in any form, is not tolerated.
- ❖ Have a safe use of digital media and technology policy, including photography, to be used by all involved with the vulnerable adults.
- ❖ Maintain accurate records regarding the handling of vulnerable adults' money.
- ❖ Have appropriate procedures for responding to and reporting any form of suspected abuse.
- ❖ Complaints are best dealt with through local resolution where the emphases should be on achieving quick and effective resolutions to the satisfaction of all concerned.

Principles for Responding to Suspected Abuse:

- a. Every Sister in our Unit and every staff member and volunteer involved in any of our ministries is a mandated reporter of any form of suspected abuse of a vulnerable adult.
- b. Responsible whistle blowing is encouraged.
- c. All applicable civil statutes regarding the abuse of a vulnerable adult will be complied with in all cases.
- d. All involved personnel shall cooperate fully in the investigation of alleged abuse.

Responding to Disclosures:

Any person who has a concern in relation to the abuse or neglect of a vulnerable adult should take immediate action to safeguard the person at immediate risk of harm including seeking medical assistance or the assistance of civil authorities as appropriate.

In responding to a vulnerable adult who has made a direct disclosure of abuse or is upset about an abusive incident the following steps should be taken:

- Take what the vulnerable adult says seriously.
- React calmly, as over-reaction may intimidate the person and increase any feelings of guilt they may have.
- Reassure the person that they were correct to tell somebody what happened.
- Listen carefully and attentively.
- Never ask leading questions.

- Use open-ended questions to clarify what is being said and try to avoid having the person repeat what he/she told you.
- Do not promise to keep secrets.
- Advise that you will offer support but that you must pass on the information.
- Do not express any opinions about the alleged abuser to the person reporting to you.
- Explain and make sure that the vulnerable adult understands what will happen next.
- Do not confront the alleged abuser.

Reporting Procedures:

Write down immediately after the conversation what was said, including all the names of those involved, what happened, where, when, if there were any witnesses and any other significant factors and note any visible marks on the individual making the report or any signs you observed.

- ❖ Sign and date all reports and indicate the time the notes were made and who you reported to.
- ❖ Ensure that the information is treated with the utmost confidence.
- ❖ Allegations should not be investigated by employees or volunteers.
- ❖ Pass on the report to the Designated Liaison Person on the same day as the occurrence.
- ❖ In the event of an emergency where you think the vulnerable adult is in immediate danger you should contact the appropriate civil authority in the first instance.

Guidance for Presentation Sisters as Employers Dealing with an Allegation of Abuse of a Vulnerable Adult:

If an allegation is made against an employee or volunteer Presentation Sisters will ensure that everyone involved gets a proper response. This involves making sure that two separate procedures are followed:

1. The reporting procedure in respect to the vulnerable adult
2. The procedure for dealing with the employee or volunteer

The same person will not deal with both of the above.

The Designated Liaison Person should be informed about the allegation as soon as possible. The reporting procedure in respect to the vulnerable adult will be dealt with by the Designated Liaison Person. In the event that it is not appropriate for the Designated Liaison Person to carry out this procedure the local leader will designate an appropriate person to do so.

When an allegation is received against an employee or volunteer it will be assessed carefully and promptly by the local leader. Action should be based on an opinion formed reasonably and in good faith. A decision based on grounds for concern should be made as to whether a formal

report should be sent to relevant civil authorities. The primary concern is to ensure that no vulnerable adult is exposed to unnecessary risk. All measures taken will be appropriate to the level of risk and will not unreasonably penalize the employee or volunteer financially or otherwise. Where protective measures penalize the employee or volunteer it is important that early consideration be given to the case. Any action taken should be guided by agreed procedures, the applicable employment contract and rules of natural justice. When Presentation Sisters become aware of abuse of a vulnerable adult by an employee or volunteer during the execution of that person's duties, the local leader will inform the employee or volunteer of the following:

1. The Fact that an allegation has been made against him/her
2. The nature of the allegation

The employee or volunteer will be afforded an opportunity to respond. The local leader will note the response and pass on this information if making a formal report to the relevant civil authorities. The local leader will maintain a close liaison with the civil authorities in order to ensure that any actions taken do not undermine the investigations/assessments conducted by them. The local leader should be notified of the outcome of the investigation/assessment in order to assist her in reaching a decision about the action to be taken concerning the employee.

A Presentation Ministry in which an allegation of abuse has occurred shall maintain on file in strict and secure confidence all records and reports of the abuse, all relevant evidence and comment concerning the alleged abuse, all actions taken by the Unit in response to such reports, as well as copies of original statements provided to law enforcement. For the protection of all parties involved, records shall be kept for fifty years after the date of the initial complaint.

Additional Procedures if the Allegation Involves a Member of the United States Unit:

- If the allegation received involves a member of this Unit, the Unit Leader, or her delegate, with another person will meet with the Sister who has been accused in order to inform her of the allegation, to apprise her of her rights under civil and canon law and to offer appropriate assistance.
- The Unit Leader will ensure that the accused Sister has legal counsel separate from that of the Unit.
- As soon as the Unit Leader is privy to credible information regarding an allegation of abuse by a Sister, she will present the information to the Congregational Leader.

Implementation of this Policy will be monitored annually.

Signed: Sister Katherine Fennell Date: September 17, 2021
Provincial Leader

UNION OF SISTERS OF THE PRESENTATION
OF THE
BLESSED VIRGIN MARY
UNITED STATES UNIT
DECLARATION OF ADHERENCE
to the
UNIT POLICY REGARDING
SAFEGUARDING VULNERABLE ADULTS

I, _____

have read the above named policy and have understood my responsibilities in relation to its contents.

I will abide by the directions of the policy.

I will attend all information and training sessions required in relation to this policy.

Signed: _____

Position held: _____

Date: _____

Designated Liaison Person

If you are concerned about the welfare and safety of a vulnerable adult

please contact the Designated Person in our Unit:

Sister Mary Antonio Heaphy Phone : 650-307-7683

Email: antoniopbvm@sbcglobal.net