

New Way Mississippi, Inc.		Policy No:	15-001	Page 1 of 4
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Guidelines for Safeguarding Vulnerable Adults

"All adults have the right to live a life free from abuse and exploitation"
 (McGimpsey, Michael 2012 Minister of Health, Social Services and Public Safety)

Who is a vulnerable adult?

A vulnerable adult is any person aged 18 years or over who is, or may be, unable to take care of him or herself or who is unable to protect him or herself against significant harm or exploitation. This may be because he or she has a mental health problem, a disability, a sensory impairment, is old and frail, or has some form of illness. Because of his or her vulnerability New Way Mississippi must exercise extreme care and caution when dealing with this population of individuals.

Vulnerable adult rights

Vulnerable adults have a right to live a life free from neglect, exploitation and abuse. They are protected by the Human Rights Act 1998. Specifically, a vulnerable adult's right to life is protected (under Article 1); their right to be protected from inhuman and degrading treatment (under Article 3); and their right to liberty and security (under Article 5).

What is abuse?

Abuse is a violation of an individual's human and civil rights by any other person or persons. Many incidents of abuse are criminal acts. Abuse is defined as: The physical, psychological, emotional, financial or sexual maltreatment or neglect of a vulnerable adult by another person. The abuse may be a single act or repeated over a period of time. It may take one form or a multiple of forms. The lack of appropriate action can also be a form of abuse. Abuse can occur in a relationship where there is an expectation of trust and can be perpetrated by a person/persons, in breach of that trust, who have influence over the life of a dependant, whether they be formal or informal care givers, staff, family members, or others. It can also occur outside such a relationship. Abuse can be either deliberate or the result of ignorance, or lack of training, knowledge or understanding. Often if a person is being abused in one way, they are also being abused in other ways. Abuse can take many forms including the following:

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Professional abuse

The misuse of power and abuse of trust by professionals, the failure of professionals to act on suspected abuse/crimes, poor care practice or neglect in services, resource shortfalls or service pressures that lead to service failure and culpability as a result of poor management systems.

Possible signs of professional abuse include: entering into inappropriate relationships with a vulnerable adult; failure to refer disclosure of abuse; poor, ill-informed or outmoded care practice; failure to support a vulnerable adult to access health care/treatment; denying a vulnerable adult access to professional support and services such as advocacy; inappropriate responses to challenging behaviours; failure to whistleblow on issues and to highlight issues to management.

Types of Abuse

1.1 Physical Abuse

- Bodily assaults
- Medical/health maltreatment
- Bodily neglect

1.2 Sexual Abuse

- Any sexual act committed without consent or by force
- Sexual harassment
- In appropriate behaviour between client and staff

1.3 Psychological Abuse

- Humiliation
- Harassment
- Emotional abuse
- Spiritual abuse (related to the cultural norms and values of ethnic groups)
- Bullying
- Verbal Abuse- Excessive yelling, profanity, and degrading comments

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1.4 Exploitation

Personal

- Include - hitting, slapping, pushing, burning, giving a person medicine that may harm them, restraining or disciplining a person in an inappropriate way.
- Possible signs - fractures, bruising, burns, pain, marks, not wanting to be touched.

Financial

- Include - misusing or stealing the person's property, possessions or benefits, cheating them, using them for financial gain, putting pressure on them about wills, property, inheritance or financial transactions.
- Possible signs - having unusual difficulty with finances, not having enough money, being too protective of money and things they own, not paying bills, not having normal home comforts.

1.5 Self-Neglect

- Self-neglect has been found to be indicative of abuse by others as well as of psychological disturbance.

1.6 Discriminatory

- Racist
- Sexist
- based on a person's disability
- Other forms of harassment, slurs or similar treatment

Actions to be Taken

New Way Mississippi is under the jurisdiction of the State Attorney General's office in response to the care and treatment of vulnerable adults. The Vulnerable Persons Unit was created by the Attorney General in 2001 in response to the revisions made by the Legislature of the Mississippi Vulnerable Adults Act.

The Vulnerable Persons Unit investigates and prosecutes persons who abuse, neglect, or exploit a vulnerable adult residing in an agency or private home setting. Mississippi law defines a vulnerable adult as a person, whether a minor or adult whose ability to

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perform the normal activities of daily living is impaired due to a mental, emotional, physical or developmental disability or dysfunction, or brain damage or the infirmities of aging.

The law also established criminal penalties for committing these offenses ranging from one year in the county jail to 40 years in prison.

New Way Mississippi will work closely with the Attorney General's office and Department of Human Services to resolve allegations against vulnerable populations whenever it occurs within the organization.