

WRITTEN MINISTERIAL STATEMENT

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Health, Social Services and Public Safety

RALPHS CLOSE RESIDENTIAL CARE HOME

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Mr Poots (The Minister of Health, Social Services and Public Safety): I wish to make a statement to the Assembly following the completion of the investigations into the allegations of abuse at Ralphs Close Residential Care Home and sign off of the Safeguarding Report by the Western HSC Trust Board.

Members will recall that following the initial allegations of abuse in July 2012, and in response to members questions, I informed the Assembly of the actions being taken by the Trust to protect and ensure the immediate safety and well-being of residents including the initiation of the Joint Protocol arrangements for the Investigation of Alleged and Suspected Cases of Abuse of Vulnerable Adults which led to an investigation by the PSNI and a Safeguarding Investigation by the Trust. Both these investigations are now complete.

The outcome of the PSNI criminal investigation, which lasted nine months, concluded there was no evidence of wilful neglect and in the absence of witness evidence it was unlikely that the burden of proof threshold required in a court of law would be met. The Public Prosecution Service (PPS) has advised that in the absence of witness evidence there is no other evidence against identifiable individuals of any offences. This highlights the challenges we face in protecting the most vulnerable people in our society, people who cannot always speak for themselves and who rely on others for their care. There is no room in the health and social care family for those who exploit their position of trust by inflicting suffering and harm, or indeed, standing by and ignoring others who do.

I welcome the assurance that the Trust has undertaken a very thorough safeguarding investigation, carried out by an experienced team of senior managers and professionals. As recommended by my Department, the senior team was assisted and advised by an independent external expert in Adult Learning Disability appointed by the Trust. The findings are disturbing, but it is always important that such issues are brought into the open so that we can take all appropriate action and secure improvements in services.

The report has concluded that on the balance of probability there has been abuse perpetrated by a number of staff in Ralphs Close over a period of time. The nature and type of abuse includes physical and psychological abuse and neglect by omission. Over 50% of allegations made have been substantiated and on the basis of these findings disciplinary proceedings are now progressing as well as investigations by the relevant regulatory bodies. Members will understand that I cannot say more on that subject at present, other than to say that individuals who abuse those in their care will be held to account for their actions.

I have already had an urgent meeting with the Chief Executive of the Western Trust and the Chair of the Trust Board to seek their assurance that individuals will be held to account for identified failings

and that every effort has been made to ensure, as far as possible, that poor or abusive practice is not happening elsewhere in any setting within the Trust.

I am truly appalled and angered that anyone in a position of responsibility and trust, caring for vulnerable people, could in any way cause them hurt or distress. I deeply regret that individuals have suffered directly and their families. As a consequence I am hugely disappointed that vulnerable people and their families have been let down by the service. The Trust have apologised directly to those involved.

Members will be aware that this will have a personal resonance for many families who have loved ones being cared for in similar settings. I am aware that the findings in this case will impact on families' level of trust and confidence in our system.

As far as possible, I want to be assured and to assure the public that there is strong vigilance and proactive management in all health and social care settings in Northern Ireland, including private and voluntary sector settings where care is provided to vulnerable adults. I want to be assured that there is a determined and sustained focus on promoting high standards of care and safety and on preventing, detecting and, where necessary, dealing robustly with poor or abusive practice at every level in the HSC system.

Consequently, I have sought assurance from the Chairs across all the Trusts that facilities, which are caring for vulnerable adults, have robust safeguarding arrangements in place, that they are confident these are being adhered to; and that a culture is promoted within those settings, and throughout the organisation, that has a zero tolerance of poor practice, negligence or deliberate harm of any kind.

It is important that we recognise and acknowledge that the vast majority of staff who care for our loved ones do so with compassion, kindness and a commitment to doing their best. I would acknowledge and thank those individuals who persisted in bringing the abuse in Ralphs Close to light. And, as I have said consistently in my role as Minister for Health, anyone who has a concern about the standard of care should not be afraid to come forward. Preventing abuse or neglect is the responsibility of all of us and none of us should tolerate vulnerable people being abused in any way.

My Department is in the process of developing new adult safeguarding policy, which I have instructed officials to finalise and issue as a matter of urgency. The policy will place a renewed emphasis on preventing harm to adults who are vulnerable and, at the same time, seek to ensure that effective protections are provided in circumstances where harm has occurred or is suspected. It will advocate a policy of zero-tolerance of adult abuse in any setting and make respect for their dignity and rights non negotiable. It will also make it clear that effective safeguarding of those who are vulnerable is the responsibility of us all.

At the same time, we are in the process of implementing new safeguarding legislation, the majority of which is already in operation. The aim of the legislation is to ensure that individuals found to have harmed adults who are vulnerable are removed from the workforce, added to barred lists where this is appropriate and, consequently, prevented from obtaining work with vulnerable adults in the future while they continue to remain on a barred list. The legislation will in future make it a requirement for employers and volunteer managers to check against the barred lists prior to permitting an individual to work or volunteer with vulnerable adults.

Trust can be abused in every sphere of care within our society. Some people are capable of terrible cruelty. There are corrupt and immoral individuals who, in spite of all our best efforts, will find ways to subvert the system and harm others. I am doing, I have done and I will continue to do all within my power to stamp out abuse and create a system where there is no hiding place for those who abuse their position of trust. I cannot do this alone. It requires everyone to be vigilant and to take responsibility to protect those who are vulnerable.

People who use our services, their families and relatives, carers and members of staff or managers must feel confident and able to come forward to speak out and express any concerns they have about the quality or standard of care, whatever the context. Where individuals do not have the capacity or ability to do so themselves they must be supported to have a voice.

Creating a culture of openness and transparency within the health and social care system so that there is no hiding place for poor or abusive practices is my priority and it must be everyone's priority.

The movement of patients from an institutional setting to community based facilities is reflective of the strategic vision to de-institutionalise the care of individuals and to provide person-centred, community-based approaches which promote the rights of, respect for, choice and independence of individuals. The move to Ralphs Close had the potential to be a positive development for individuals who had previously resided in a hospital setting. Regrettably this was not the case.

The lessons from Ralphs Close highlight that the transition from institutional living to community based living requires careful planning and management. It is not simply about the transfer of location but requires a change in ethos and working practices. These lessons will need to inform the planning and implementation of the reform of the health and social care system, to ensure that the vision set out for Transforming Your Care is realised and that those responsible for implementing the reforms learn from this.

I have instructed the Health and Social Care Board to ensure that the lessons learned from this case are disseminated across all Trusts and service providers in the voluntary and private sectors who are commissioned to provide services by the HSC Board and/or Trusts.

Since the first allegations were made in July 2012 the Regulation and Quality Improvement Authority has undertaken more than ten announced and unannounced inspections of Ralphs Close. The most recent unannounced inspection was earlier this month and I can confirm to members there are currently no concerns regarding the standards of care in this facility. Indeed, there has been a transformation in the care provided to residents over the past 18 months.

I want to pay tribute to those staff in Ralphs Close who, in spite of the intense scrutiny and adverse publicity around this case, have continued to care for the residents and have worked tirelessly to create a new culture of person-centred care. We owe them our thanks and gratitude.