

BUTABIKA NATIONAL REFERRAL MENTAL HOSPITAL



**SAFEGUARDING POLICY, PROCEDURES,
AND COMPLAINTS PROCESS**

A SAFE ENVIRONMENT FOR ALL

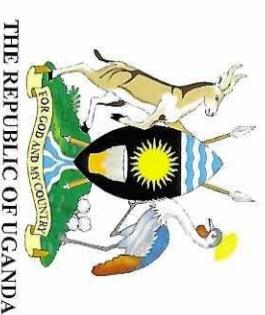


Our Vision

Our vision is "A community aware of the importance of a complete state of physical, mental and social well-being through reduced mental problems".

Our Mission

Our mission is "to offer super specialized and general mental health services, conduct mental health training, mental health related research and to provide support to mental health care services in the country".



Core Values

- Customer Focus
- Integrity
- Stewardship
- Accountability
- Collaboration
- Dignity
- Respect
- Teamwork
- Excellence

Introduction

A safe environment for all, is one which provides all staff and patients at Butabika Hospital, with an environment which is free from risk of harm or abuse. Policies and procedures are transparent, adhered to, implemented, evaluated, and reviewed. Safe governance and commitment to the rights of children and people with disabilities, such as people with severe mental illness, neurological disorders, and alcohol and substance use disorders, underpins all practices at Butabika Hospital. These values and practices are modelled across all levels of leadership and in recruitment and personnel supervision. A safe organisation ensures the ongoing provision of education, training, and professional development.

Primarily, this document is designed to facilitate the building and continual development of a culture of care and safeguarding for all associated with Butabika Hospital. A culture in which all patients feel that their human rights are respected, the level of professional care is of the highest standard, and all staff and volunteers can work in an environment of safety and mutual support.

Butabika National Referral Mental Hospital, is committed to excellence of care, and respect for the individual dignity of its patients. As well, knowing that family support is crucial to recovery from mental, neurological and substance use (MNS) disorders, the visiting of families to patients is encouraged, and family members are also supported by this safeguarding policy and procedures.

While the majority of patients at Butabika Hospital are adult women and men, there is also a small population of children who are patients in the Children's Ward. Special attention is afforded these children in this document.

Safeguarding Policy Principles

The principles in this policy have been drawn from key international and regional instruments such as the United Nations Convention on the Rights of the Child (UNCRC), and the UN Convention on the Rights of Persons with Disability (CPRD) to which Uganda is a signatory. The principles include:

rights to protection from harm.

- Everybody has a responsibility to support the protection of children and persons with vulnerabilities
- Butabika Hospital has a duty of care to children and vulnerable persons with whom they work, are in contact with, or who are affected by their work and operations.
- If Butabika Hospital works with accredited agencies, the Hospital has a responsibility to ascertain that such agencies meet the minimum safeguarding requirements.
- All actions by hospital staff taken in relation to child protection are taken in the best interests of the child.
- All actions taken in relation to vulnerable adult protection are taken in the best interests of the adults at risk.

Overarching Values

This document is underpinned by the overarching values of the inherent dignity of every person; special care for children and people who are vulnerable through physical, mental, or neurological disability; the right to privacy of a patient's medical information; the right to live in a safe hospital environment free from violence or aggression; the right to be protected within the Hospital from physical abuse, sexual abuse, financial abuse, emotional abuse, and any form of manipulation by staff or other patients regarding the taking of power or control over the affairs (including financial matters) of patients, or their families.

Mandatory Compliance

This safeguarding policy document is mandatory for all Butabika National Referral Mental Hospital staff and volunteers.

Besides all employed staff, this policy also applies to all students, interns, volunteers and any other personnel who may, from time to time, operate at Butabika Hospital, with the approval of authorized officers. Patient to patient relationships, and any inappropriate behaviour (according to this policy), of a patient or patient's family towards a staff member, are also covered by this policy.

United Nations Convention on the Rights of the Child and on the Rights of Persons with Disability

Butabika Hospital recognizes the United Nations Convention on the Rights of the Child (UNCRC), and the UN Convention on the Rights of Persons with Disability (CPRD) to which Uganda is a signatory. In line with the UNCRC, and for the purposes of this policy, the definition of a child is anyone under the age of 18 years. In line with the CPRD, people with disabilities are those who have long-term physical, mental, intellectual, or sensory impairment.

Zero Tolerance Approach

Butabika Hospital believes that all children, and adults with disabilities and other vulnerable persons have equal rights to protection from violence, abuse, and exploitation, and takes seriously its duty of care towards the children and persons with disabilities it works with and its staff who carry out its organizational responsibilities.

Exploitation and any form of abuse can have devastating, lifelong impacts on children and persons with disabilities. Under no circumstances will any abuse of children or exploitation of persons with disabilities by Butabika Hospital staff and those authorised to operate at the Hospital, be tolerated, and any instances will be dealt with according to the complaints process mentioned in this document, and referral to local authorities, if criminal behaviour is suspected.

As well, the protection of all staff from violence, abuse, exploitation, intimidation, is covered by this policy.

Local Legislation in Uganda

Butabika Hospital will ensure that all staff members adhere to all Ugandan laws, with particular note, of laws with regards to child protection and engagement with vulnerable persons in Uganda. Whilst Butabika Hospital staff will adhere to Ugandan legislation, if the standards outlined in this policy are stronger than local legislation, then this policy will be followed. This includes the UNCRC and CPRD definition of a child and person with disability respectively.

Scope

This policy applies to all Butabika Hospital Staff (defined as full and part-time staff and temporary staff) and other authorised personnel, such as volunteers, students, interns, and all visitors, as well as all patients of the Hospital, and the actions of the families of patients on Hospital grounds.

Definitions and Terms

Assessor: An assessor is a suitably qualified person appointed by the Director or their delegate, to conduct an investigation of a complaint of abuse as defined in this document, in the Complaints Process section. The assessor will apply natural justice and work within the parameters of Ugandan law. The assessor will respect the human and legal rights of all parties to the investigation, and will conduct themselves with the highest integrity, and impartiality. The assessor will conduct the investigation in a speedy manner and provide a written report with conclusions and recommendations to the Director or their delegate. The assessor will base their conclusions of an investigation on the 'balance of probabilities' model of civil justice. The assessor will ensure that any complaints of criminal allegations will also be referred to the Police for appropriate involvement and investigation. The Assessor will normally be the Chairperson of the Hospital's Disciplinary Committee (also known as the Reward and Sanctions Committee) or their delegate, unless otherwise decided by the Director of the Hospital. The Assessor will make a written report of their investigation to the Disciplinary Committee. The investigation and the tabling of the written report is to be undertaken as a matter of priority in the shortest timeframe possible.

Child or young person: A child or young person is regarded to be any person under the age of 18 years.

Child Abuse: Abuse happens to male and female children of all ages, ethnicity and social backgrounds, abilities, sexual orientation, religious beliefs and political persuasion. Child abuse includes physical, sexual and emotional abuse, neglect, bullying, discrimination, child labour and domestic violence. Abuse can be inflicted on a child by men or women, as well as by children and young people themselves.

Child Protection: In its widest sense, child protection is a term used to describe the actions that individuals, organisations, countries and communities take to protect children from acts of "harm" maltreatment (abuse) and exploitation e.g., domestic violence, exploitative child labour, commercial and sexual exploitation and abuse, deliberate exposure to HIV or other infections and physical violence. It can also be used as a broad term to describe the work that organisations undertake in particular communities, environments or programmes that protect children from the risk of harm due to the situation in which they are living.

Child Safeguarding: Child safeguarding is the procedures and practice that are used by Butabika Hospital to ensure that Butabika Hospital itself is a child safe organisation. This means that Butabika Hospital ensures that:

1. Anyone who represents Butabika Hospital behaves appropriately towards children and never abuses the position of trust that comes with being a member of the Hospital.
2. Everyone associated with the Butabika Hospital is aware of and responds appropriately to issues of child abuse and the sexual exploitation of children
3. That Butabika Hospital creates a child-safe environment in all activities by always assessing and reducing potential risks to children
4. That Butabika Hospital is driven in all its activities by the duty of care to children.

Child-Safe Environment: A child-safe environment is one where active steps are taken to reduce risks of harm against children, and that there are clear, established guidelines and procedures for conduct, reporting abuse and follow-up.

Child Sexual exploitation: The abuse of a position of a child's vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the exploitation of another. Child prostitution and trafficking of children for sexual abuse and exploitation are only two examples of this.

Contact Person: Are staff members at Butabika National Referral Mental Hospital who are officially appointed by the Director of the Hospital or their delegate, to receive information of suspected abuse, or an allegation of abuse from any person associated in some form, with the Hospital. The contact persons are duty bound to receive a complaint, to record it, and to ensure that the Director of the Hospital

or their delegate, receives the written document within 24 hours of the contact person being made aware of a situation. The official contact persons are the Head of Human Resources, The Head of Nursing, and the Head of Clinical Department.

Duty of Care: Duty of Care is a common law concept that refers to the responsibility of the Hospital and its staff, to provide children and vulnerable adults with an adequate level of protection against harm. It is the duty of the Hospital and its staff to protect children and vulnerable adults from all reasonably foreseeable risk of or real injury.

Emotional abuse: Emotional abuse occurs when a child or vulnerable adult is repeatedly rejected or frightened by threats. This may involve name calling, shaming, humiliation, or continual coldness, to the extent that it affects the child's physical and emotional growth as well as the wellbeing of vulnerable adults. Intimidation, bullying, and emotional manipulation are all forms of the abuse of power covered by this definition. While normally this definition refers to a relationship between a staff member and a patient, it may also apply to patient relationships. This definition can also apply if a staff member is the victims of emotional abuse.

Financial abuse: Financial abuse occurs when a child or vulnerable person, or their family, is requested or demanded to provide a payment to a staff member to facilitate a service or preferential treatment, or in order to secure what could be described as normal or ordinary treatment, in the hospital. Such requests or demands for illicit payments are a serious abuse of a staff member's office and duties. Financial abuse may also involve other forms of corruption, including embezzlement.

Neglect: Neglect is the persistent failure or the deliberate denial to provide a child or vulnerable adult with clean water, food, shelter, emotional support or love, sanitation, supervision or care to the extent that the person's health and development are placed at risk.

Other authorized personnel: For the purposes of this policy, 'other authorised personnel' refers to volunteers, students, interns, consultants, contractors, caretakers, and visitors to the Hospital, and any person designated as such, by the Director or delegate, of the Hospital.

Physical abuse: Physical abuse occurs when a person purposefully injures or threatens to injure a child or vulnerable person. This may take any form of physical treatment including but not limited to slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take any form including but not limited to bruises, cuts, burns or fractures.

Protection: Protection includes ensuring that individual basic human rights, welfare and physical and emotional security are recognised, safeguarded and protected in accordance with international standards.

Safe Environment For All: A safe environment for all is one which provides adults and children with an environment which is free from risk of harm or abuse. Policies are procedures are transparent, adhered to, implemented, evaluated, and reviewed. Safe governance and commitment to the rights of children and vulnerable persons, such as people with severe mental illness, neurological disorders, and alcohol and substance use disorders, underpins all practices at Butabika hospital. These values and practices are modelled across all levels of leadership and in recruitment and personnel supervision. This definition applies to the provision of a safe environment to all staff as defined in this policy. A Safe Environment For All is a policy position, a management undertaking, and a platform of safety and security for all staff and all patients at Butabika Hospital.

Sexual abuse: Sexual abuse is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions. Examples of this include the use of a child or vulnerable person for sexual gratification by an adult or significantly older child or adolescent, or such inappropriate sexual behaviour between staff, or other authorised persons, with a patient. Sexually abusive behaviours can include physically touching genitals/body, masturbation, or penetration, voyeurism, exhibitionism.

Staff: will be used to describe employees, students, interns, volunteers, contractors and representatives including those employed under consultancy arrangements by Butabika Hospital, and any other category of personnel designated as staff by the Director of the Hospital.

Vulnerable person (adult): is a person aged 18 years or older who may need health and/or care services because of mental or other disability, age or illness; and who is or may be unable to take care of themselves, or unable to protect themselves against significant harm or exploitation (NHS England, 2017). Along with all children, all patients at Butabika Hospital are defined as vulnerable persons.

Education/training: In-service training will be carried out for all staff, regarding developing a Safe Environment For All. Initial information about Safeguarding will be given at the point of new staff induction. The Professional Standards Committee has responsibility to ensure that high quality, and regular in-service training occurs, and that its content reflects the highest standards.

Communications: Butabika Hospital has a commitment to undertake all communications with a child or vulnerable adult in a safe manner, by:

- Taking particular care to ensure the privacy of the child and/or vulnerable adult, particularly with regard to process of a complaint and ensuring that a patient's family are kept in proper communication during a complaints process.
- Reporting/responding to concern of possible abuse or allegations or complaints of abuse:
- The need to report arises in the following instances:
- Abuse is observed or suspected
- An allegation of abuse is made
- A child/vulnerable adult discloses abuse

The officially appointed Contact Person, is delegated to receive information of suspected abuse, or an allegation of abuse. The Contact Person will forward a written statement of any discussions to the Director or delegate within 24 of receiving the information.

The Professional Standards Committee

The Professional Standards Committee (PSC) of Butabika Hospital will be responsible for the implementation of this policy and its procedures, including the Complaints Process. The PSC will comprise at least 3 senior Hospital personnel, and at least 2 people external to the Hospital, with excellent reputations in the Ugandan community, and deemed to have appropriate knowledge to undertake their role on the Committee. The Director of the Hospital and delegate are ex officio members of the PSC and the Director appoints the Chair of the PSC. Terms

and length of office should be determined by the Director or delegate. A 3-year, renewable appointment at the discretion of the Director, is suggested as a norm. The Director of the Hospital may terminate appointments to the PSC as she/he sees fit. The role of the PSC is to oversee policy and its implementation, and ensure that education and training, and staff supervision is undertaken and is of an acceptable standard.

Above all, the PSC is to ensure that Butabika Hospital continues to develop as a safe environment for all.

The PSC does not investigate complaints of abuse, as outlined in this document. The PSC is there to ensure that the process in responding to complaints is operational and working effectively. To that end the PSC needs to be kept informed of all matters pertaining to these policies and procedures.

The PSC should provide an annual report to the Director of its operations, including any recommendations for ongoing improvement in these policies and their implementation.

The PSC should meet at least three times a year.

The Complaints Process

1. The Director of the Hospital or delegate, is responsible for the establishment of the complaints process, and its implementation.
2. The Director or Delegate should have particular regard to the integrity of the investigation process.
3. The Director or delegate, formally appoints the Contact Persons to receive any complaints with regard to this policy. Their names and contact details, and role, are to be made known throughout the Hospital and their details placed on Hospital notice boards.
4. These persons (The Head of Human Resources, The Head of Nursing, and the Head of Clinical Department) are CONTACT PERSONS. They are responsible to receive a complaint, document it, and ensure that the complainant is handled with sensitivity, care, and professionalism. Strict confidentiality is to apply to the complainant's name and details. It is the responsibility of the contact person to ensure that the complainant is referred to the Director or delegate,

within 24 hours of initial contact. The complainant is to be asked to write down the complaint, date, and sign the complaint. This ends the role of the contact person with this particular complainant, unless the Director or delegate appoints the contact person as a support person for the complainant during the complaint process.

5. Contact Persons are to receive in-service training, in order to fulfill their role satisfactorily.

6. The Contact Person may be appointed by the Director or Delegate, as a support person for the complainant, during the investigation process. This is in the discretion of the Director or Delegate, and should be influenced by the situation and emotional needs of the complainant.

7. Once the Director or delegate has received the written complaint, the report and a request for investigation is handed to the Assessor of the complaint who is the Chair of the Hospital's Reward and Sanctions committee or delegate. It is imperative that the complainant is treated with sensitivity and seriousness. The complainant must not be talked out of making the complaint. The complainant is to be assured that they will be interviewed in depth, and that the complaints process will be followed, and they will be informed at the appropriate time of the result of their complaint.

8. The Director or delegate is to ensure that the safety and security of the complainant is adhered to during this complaint and investigation stage. This may mean removal of the complainant from a particular work position, to maintain their safety, or it may mean the removal of the alleged perpetrator, for the perceived safety of persons, whilst the investigation process takes place. If this occurs, no inference is to be drawn of the guilt or innocence of the person complained about, until the whole complaints process is complete.

9. The Director or delegate, will ensure that the ASSESSOR interviews the appropriate persons associated with the complaint, and makes a recommendation to the Director or delegate, as to the veracity of the complaint, and what appropriate decisions about the complaint, including decisions regarding the alleged perpetrator, should be enacted. The Assessor is to conduct the investigation in a speedy manner and provide a written and signed confidential report to the Director or delegate. All interviews are to be written down, signed, and dated.

the rights of all involved are preserved during this process.

11. It is permissible for the assessor to seek advice from the Director or members of the Disciplinary Committee, if needed, during the investigation process.
12. The Director or delegate should seek legal advice if necessary, as well as other professional advice, before making a formal decision about the complaint.
13. If the complaint is about a criminal matter then the Police should be notified, and legal advice taken, as to if and when an investigation should take place independent of the Police. The Police may request that it is their responsibility to enact the investigation. If so, the Director should maintain liaison with the Police and take their advice on any action the Hospital can take in the first instance.
14. Following a decision regarding the complaint by the Assessor, and the decision of the Director or delegate regarding action to take, the Director should then implement these decisions, that might include action against the perpetrator, who is viewed to be guilty of the complaint, and supportive action for the complainant.
15. The Professional Standards Committee should review the process taken in responding to complaints during their scheduled meetings, to ensure that all decisions were appropriate, and to provide supportive advice as to future actions.
16. The Director or delegate may need to ensure that the relevant Ministry or Commission, is notified of these pertinent matters.