

Violence, Abuse, Neglect, Exploitation and Discrimination Policy

1. PURPOSE

Community Care TASMANIA recognises the right of clients to feel safe and to live in an environment where they are protected from assault, neglect, exploitation, discrimination or any other form of abuse. People with disabilities, children, young and older people are some of the most vulnerable groups in our society. It is essential that Community Care TASMANIA identify, consult and respond to instances where vulnerable people are at risk of significant harm.

Common reasons for vulnerable people to be at risk of significant harm include:

- Domestic and family violence
- Physical, sexual and/or emotional/psychological abuse
- Neglect and acts of omission
- Financial abuse.

The impact of violence, abuse and neglect can span across all domains of a person's development and life experiences. People who experience violence, abuse and neglect are more likely to have problems with:

- Learning and development
- Physical and mental health
- Behaviour
- Financial security

The purpose of this policy is to prevent and mitigate the effects of violence, abuse and neglect on clients through training and implementing process to inform staff and protect clients what are at risk of significant harm.

2. SCOPE

Community Care TASMANIA will encourage and support any person who has witnessed the abuse of a service user or, who suspects that abuse has occurred, to make a report and be confident of doing so without fear of retribution.

3. DEFINITIONS

	Description
Abuse and Neglect	Any behaviour that is outside the norms of conduct and entails a substantial risk of causing physical, r emotional or financial harm to a person. Such behaviours may be intentional or unintentional and can include acts of omission (i.e. neglect) and commission (i.e. abuse).
Discrimination	Treating, or proposing to treat someone unfavourably because of a personal characteristic protected by the law. Discrimination includes bullying someone because of a protected characteristic.
Exploitation	The action or fact of mistreating someone to benefit from their work. The action of making use of and benefiting from resources.
Violence	Violent behaviour by a person towards another can include abusive behaviour that is physical, sexual, intimidating and forceful. People with a disability are more likely to experience violence from a carer or family member.

3.1 Types of Abuse

	Signs and Symptoms	Causes
Physical Abuse	Bruising, lacerations, welts, rashes, broken or healing bones, burns, weight loss, facial swelling, missing teeth, pain or restricted movements, crying, acting fearful, agitation, drowsiness, hair loss and/or poor physical well-being	Hitting, slapping, pushing, punching and/or burning, which entails an incident that is non-accidental resulting in pain or injury.
Psychological / Emotional Abuse	Loss of interest in self-care, helplessness, withdrawn, apathy, insomnia, fearfulness, reluctant to communicate openly, chooses not to maintain eye contact, paranoia and confusion.	Intimidation, humiliation, harassment, threatening, sleep deprivation, withholding affection, and/or not allowing the person to maintain their decision-making powers, which leads to a pattern repeated over time.
Sexual Abuse	Unexplained sexual transmitted disease, vaginal/anal bleeding, fearful of certain people or places, bruising to genital areas inner thigh or around breasts, anxiety, torn or bloody underclothes, difficulty in walking or sitting, change in sleep pattern and repeating nightmares.	Rape (penetration and/or oral-genital contact), interest in older person's bodies, inappropriate comments and sexual references, inappropriate (possibly painful) administration of enemas or genital cleansing, indecent assault, sexual harassment which is mainly about violence and power over another person, rather than sexual pleasure

Neglect	Poor hygiene or personal care, unkempt appearance, lack of personal items, absence of health aids, weight loss, agitation, inappropriate clothing and/or lack of food.	The intentional failure to provide basic life necessities.
Domestic and family abuse	Any type of controlling, bullying, threatening or violent behaviour between people in a relationship including emotional, physical, sexual, financial or psychological abuse.	Witnessing abuse as the norm, or being abused, destroys a person’s ability to trust others and undermines their ability to control emotion

This policy aims to:

1. Take a preventative, proactive and participatory approach to client safety;
2. Value and empower the client to contribute to decisions which affect their lives;
3. Foster a culture of openness that supports all persons to disclose the risks of harm to client safety.
4. Respect diversity in cultures and child-rearing practices while keeping the client's safety paramount;
5. Provide training to staff on appropriate conduct and behaviour towards clients;
6. Engage only the most suitable people to work with clients and have high-quality staff, volunteer supervision and professional development;
7. Ensure the clients know whom to talk with if they are worried or are feeling unsafe and that they are comfortable and encouraged to raise such issues;
8. Report suspected abuse, neglect or mistreatment promptly to the appropriate authorities;
9. Share information appropriately and lawfully with other organisations where the safety and wellbeing of the client is at risk; and
10. Value the input of and communicate regularly with families and advocates.

For all incidents that meet the criteria of a Reportable Incident, the Reportable Incident, Accident and Emergency Policy and Procedure will apply.

4.1 Statement of Commitment to Safety

Community Care TASMANIA is committed to the safety and wellbeing of all clients. This commitment is the primary focus of our support and decision-making. Community Care TASMANIA is committed to providing a safe environment where clients are safe and feel safe. Their voices are heard and included in decisions that affect their lives. Attention is to be paid to the cultural safety of clients from culturally and/or linguistically diverse backgrounds.

Every person involved in Community Care TASMANIA has a responsibility to understand the critical and specific role they play both, individually and collectively, to ensure that the wellbeing and safety of all clients are at the forefront of all they do and every decision they make.

4.2 Safe Code of Conduct

Community Care TASMANIA is committed to the safety and wellbeing of clients. Our business recognises the importance of, and responsibility for, ensuring our environment is a safe, supportive and enriching environment which respects and fosters the dignity and self-esteem of all people, and enables them to thrive.

This Code of Conduct aims to protect both and clients and to reduce any opportunities for abuse or harm to occur. It also assists in understanding how to avoid or better manage risky behaviours and situations. It is intended to complement child protection legislation, aged care legislation, disability legislation, policies and procedures and professional standards, codes or ethics as these apply to staff and other personnel.

Community Care TASMANIA management support implementation and monitoring of the Code of Conduct and will plan, implement and monitor arrangements to provide inclusive and safe environments.

All Staff, Volunteers and any other community members involved in client-related work are required to comply with the Code of Conduct by observing expectations for appropriate behaviour below. The Code of Conduct applies in all situations, including planned activities and the use of digital technology and social media.

4.3 Acceptable Behaviors

Staff or any other persons involved with client-related work are responsible for supporting and promoting the safety of client by:

1. Always upholding the Community Care TASMANIA Statement of Commitment to the client's safety.
2. Treating the client and their families and advocates with respect both within the environment and outside activities as part of normal social and community activities.
3. Listening and responding to the views and concerns of the client, particularly if they are informing that they or another person has been abused; or that they are worried about their safety or the safety of another client.
4. Promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander clients through interactions with their community leaders and members.
5. Promoting the cultural safety, participation and empowerment of people with culturally and/or linguistically diverse backgrounds through engagement with the community accessing the service.
6. Promoting the safety, participation and empowerment of all clients
7. Reporting any allegations of abuse or any personal safety concerns to management.
8. Understanding and complying with all reporting or disclosure obligations (including State Mandatory Reporting) as they relate to protecting the client from harm or abuse.
9. Maintaining the right to live in a safe environment by promoting and informing the clients of their rights.
10. If abuse is suspected, ensuring as quickly as possible that the clients are safe and protected from harm.
11. Identify self upon entering premises and using required identification.

4.4 Unacceptable Behaviors

As frontline workers, volunteers and any community member involved in client-related work, we must not:

1. Ignore or disregard any concerns, suspicions or disclosures of abuse.

2. Develop a relationship with any client that could be viewed as favouritism or amount to 'grooming' behaviour (for example, offering gifts).
3. Exhibit behaviours or engage in activities with clients that may be interpreted as abusive and not justified by the service delivery context.
4. Ignore behaviours by other adults towards young clients when they are overly familiar or inappropriate.
5. Discuss the content of an intimate nature or use sexual innuendo with clients, except where it occurs relevantly in the context of parental guidance or a therapeutic setting.
6. Treat a client unfavorably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.
7. Communicate directly with a client through personal or private contact channels (including by social media, email, instant messaging, texting) except where that communication is reasonable in all the circumstances, related to work or activities or where there is a safety concern or other urgent matter.

4.5 Screening, Supervising, Training and Human Resource Practices to Reduce Risk

The staff will be required to undertake checks including relevant Police and Working with Vulnerable People Checks, and Mandatory Worker Orientation Module (NDIS). Records are maintained in their personnel file.

Staff may access Employee Assistance Program if affected by abuse of any nature.

5. PROCEDURE

5.1 Strategies to Identify and Reduce or Remove Risk of Harm

Community Care TASMANIA recognise that creating a safe organisation begins with a clear understanding of the potential risks to the client and other clients in an organisation's setting, including what could go wrong, and what you can do to reduce or remove these risks.

To reduce the likelihood of harm Community Care TASMANIA will consider, define and acted against its organisational risks.

These strategies include:

- Thinking about and mitigating risk for the organisation, its activities and the services it provides to clients,
- Planning how to make activities as safe as possible,
- Develop a safety plan for individuals who require additional supports,
- Supporting clients to understand plans and safety procedures in a manner that supports their understanding,
- Informing clients that have the right to live in a safe environment,
- Being proactive to reduce the likelihood of risks.

5.2 Reporting Violence, Abuse, Neglect, Exploitation and Discrimination

A report must be made if:

- A client shows a change in behaviour or mood that may indicate they are being abused.
- You observe someone behaving towards a client in a way that makes you feel uncomfortable.
- A client tells you that they are being abused by another person.
- A person tells you that they are abusing a client.
- A client or visitor tells you that they have observed abusive acts.
- A client informs that they feel discriminated against. (e.g. language and actions)
- A client presents as unkempt or seeking food.
- There is evidence of unexplained bruising or similar.
- You observe an action or inaction that may be considered abusive.
- You suspect or have any reason to believe a client is being abused.

Failure to report an abusive situation may result in a Criminal Offence

5.3 How to Report

CEO or their delegate will review the information immediately and phone the Police to inform them of abuse. Note: for children see Working the Children Policy and Procedure for all other clients, the Police will be contacted

5.4 Details to Provide

The CEO or their delegate will give the following information to the authorities, including all of the current information:

- Client's name, age, date of birth, address
- Description of injury, abuse and/or neglect (current and previous)
- The client's current situation
- The location of the client and alleged perpetrator (if known)
- Explanation of when and how did you find out about the abuse.

5.5 Investigating Allegation or Incident

CEO or their delegate undertakes a review of the allegation or incident by:

1. Gathering data from relevant staff/worker
2. Analyse by determining what occurred, how it occurred, and who was involved.
3. Determine the effect on the client
4. Consult with relevant stakeholders – do not seek information from children (this is a specialist role within the authorities to whom the incident if reported).
5. Inform the client or their family that they can access an advocate for support.
6. Review the outcome against practices
7. Undertake action to prevent the incident from occurring

5.6 Support the Client

Reported allegations or incidents require the CEO on receipt of the complaint to gather all the relevant information and make a report to the relevant authority such as the Police or via the State's reporting process.

Offer support to the client relevant to the allegation or incident. Discuss with the client if they would like to have an advocate.

5.7 Documentation

- Record all allegations and incidents in the Incident Register
- Complete Incident Investigation Form
- Reports to be included in the client's file
- Maintain records for seven (7) years.

6. RELATED DOCUMENTS

- Incident Form
- Code of Ethics and Conduct Form
- Client Notes
- Risk Management Form
- Zero Tolerance Policies and Procedures
- Working with Children Policy and Procedure

7. REFERENCES

- United Nations Convention on the Rights of the Child 1989
- The National Framework for Protecting Australia’s Children
- Aged Care Quality and Safety Commission
- NDIS Quality and Safeguards Practice Standards and Quality Indicators
- NDIS (Incident Management and Reportable Incidents) Rules 2018

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