

# **Violence, Abuse, Neglect, Exploitation and Discrimination**



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## Preamble

Belove Care Service Pty Ltd recognises the right of participants 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 and young people are one of the most vulnerable groups in our society. It is essential that Beloved Care Services Pty Ltd identify, consult and respond to instances where persons with disabilities, children or young persons are at risk of significant harm.

Common reasons for people with disabilities, children and young people to be at risk of significant harm include:

- Domestic and family violence
- Physical, sexual and/or emotional abuse
- Neglect.

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.

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

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## 2.0 SCOPE

Beloved Care Services 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.

## 3.0 DEFINITION

	Description
Abuse and Neglect	Any behaviour that is outside the norms of conduct and entails a substantial risk of causing physical or emotional 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

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### 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 oralgenital 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	

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## 4.0 POLICY

This policy aims to:

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

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

Beloved Care Services is committed to the safety and wellbeing of all participants. This commitment is the primary focus of our support and decision-making. Beloved Care is committed to providing a safe environment where participants 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 participant from culturally and/or linguistically diverse backgrounds.

Every person involved in Beloved Care Service 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 participant and young people are at the forefront of all they do and every decision they make.

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## 4.2 Safe Code of Conduct

Beloved Care is committed to the safety and wellbeing of participants. 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 participants 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, disability legislation, policies and procedures and professional standards, codes or ethics as these apply to staff and other personnel.

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

All Worker, Volunteers and any other community members involved in participant-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 Behaviours

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

- Always upholding the Beloved Care Service Statement of Commitment to the participant's safety.
- Treating the participant and their families and advocates with respect both within the environment and outside activities as part of normal social and community activities.
- Listening and responding to the views and concerns of the participant, 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 participant.
- Promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students through interactions with their community leaders and members.
- Promoting the cultural safety, participation and empowerment of people with culturally and/or linguistically diverse backgrounds through engagement with the community accessing the service.
- Promoting the safety, participation and empowerment of people with disabilities
- Reporting any allegations of abuse or any personal safety concerns to management.

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- Understanding and complying with all reporting or disclosure obligations (including State Mandatory Reporting) as they relate to protecting the participant from harm or abuse.
- Maintaining the right to live in a safe environment by promoting and informing the participants of their rights.
- If abuse is suspected, ensuring as quickly as possible that the participants are safe and protected from harm.
- Identify self upon entering premises and using required identification.

#### 4.4 Unacceptable Behaviours

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

- Ignore or disregard any concerns, suspicions or disclosures of abuse.
- Develop a relationship with any participant that could be viewed as favouritism or amount to 'grooming' behaviour (for example, offering gifts).
- Exhibit behaviours or engage in activities with participants that may be interpreted as abusive and not justified by the educational, therapeutic, or service delivery context.
- Ignore behaviours by other adults towards young participants when they are overly familiar or inappropriate.
- Discuss the content of an intimate nature or use sexual innuendo with participants, except where it occurs relevantly in the context of parental guidance or a therapeutic setting.
- Treat a participant unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.
- Communicate directly with an underage participant 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.

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

The Worker will be required to undertake checks including both Disability Worker Checks, relevant Police and Working with Children Checks, and Mandatory Worker Orientation Module. Records are maintained in their personnel file.

## 5.0 PROCEDURE

### 5.1 Strategies to Identify and Reduce or Remove Risk of Harm

Beloved Care Services recognise that creating a safe organisation begins with a clear understanding of the potential risks to the participant and other participants 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 Beloved Care Services will consider, define and acted against its organisational risks.

These strategies include:

- Thinking about the organisation, its activities and the services it provides to participants,
- Planning how to make activities as safe as possible,
- Develop a safety plan for individuals who require additional supports,
- Supporting participants with disabilities to understand plans and safety procedures in a manner that supports their understanding,
- Informing participants 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 participant shows a change in behaviour or mood that may indicate they are being abused.
- You observe someone behaving towards a participant in a way that makes you feel uncomfortable.
- A participant tells you that they are being abused by another person.
- A person tells you that they are abusing a participant.

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- A participant or visitor tells you that they have observed abusive acts
- A participant informs that they feel discriminated against. (e.g. language and actions)
- A participant 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 participant is being abused

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

### 5.3 How to Report

Director will review the information and phone the Police to inform them of abuse. Note: for children see Working the Children Policy and Procedure for all other participants, the Police will be contacted.

### 5.4 Details to Provide

The Director will give the following information to the authorities, including all of the current information:

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

### 5.5 Investigating Allegation or Incident

Director 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 participant
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 participant or their family that they can access an advocate for support.

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6. Review the outcome against practices
7. Undertake action to prevent the incident from occurring

### 5.6 Support the Participant

Reported allegations or incidents require the Director 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 participant relevant to the allegation or incident. Discuss with the participant if they would like to have an advocate.

### 5.7 Documentation

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

## 6.0 RELATED DOCUMENTS

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

## 7.0 REFERENCES

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

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