
SD - Freedom from Abuse & Neglect

POLICY

Headway Gippsland has process in place to provide staff and volunteers with information and training to ensure the safety of participants using our service.

To ensure that our staff and volunteers safeguard participants who use our services and keep them safe from abuse and neglect we require each staff or volunteer to have a current NDIS Worker Screening Check and Working with Children's Check and to meet all requirements of Headway Gippsland Recruitment and Selection processes.

We recognise the vulnerability of participants with disabilities, and acknowledge our duty of care.

PROCEDURE

Understanding abuse and neglect

Physical abuse: Any non-accidental physical injury or injuries to a child or adult. This includes inflicting pain of any sort or causing bruises, fractures, burns, electric shock, or any unpleasant sensation

Sexual abuse: Any sexual contact between an adult and child 16 years of age and younger; or any sexual activity with an adult who is unable to understand, has not given consent, is threatened, coerced or forced to engage in sexual behaviour.

Psychological or emotional abuse: Verbal assaults, threats of maltreatment, harassment, humiliation or intimidation, or failure to interact with a participant or to acknowledge that participant's existence. This may also include denying cultural or religious needs and preferences.

Constraints and restrictive practices: Restraining or isolating an adult for reasons other than medical necessity or the absence of a less restrictive alternative to prevent self-harm. This may include the use of chemical or physical means or the denial of basic human rights or choices such as religious freedom, freedom of association, access to property or resources or freedom of movement.

Financial abuse: The improper use of another participant's assets or the use or withholding of another participant's resources.

Legal or civil abuse: Denial of access to justice or legal systems that are available to other citizens

Systemic abuse: Failure to recognise, provide or attempt to provide adequate or appropriate services, including services that are appropriate to that participant's age, gender, culture, needs or preferences.

Forms of Neglect include (but are not limited to):

Physical neglect: Failure to provide adequate food, shelter, clothing, protection, supervision and medical and dental care, or to place participant at undue risk through unsafe environments or practices.

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Passive neglect: A caregiver's failure to provide or wilful withholding of the necessities of life including food, clothing, shelter or medical care.

Wilful deprivation: Wilfully denying a participant who, because of age, health or disability, requires medication or medical care, shelter, food, therapeutic devices or other physical assistance - thereby exposing that participant to risk of physical, mental or emotional harm.

Emotional neglect: The failure to provide the nurturance or stimulation needed for the social, intellectual and emotional growth or wellbeing of an adult or child.

Isolation: The failure to recognise and/or report any deterioration of a participant and seek appropriate treatment for participant.

Reporting incidents, or suspected incidents of abuse or neglect

Headway Gippsland has a moral, professional and legal obligation to provide a safe environment for participants. To this purpose staff, volunteers, and families are also made aware of their duty of care, professional boundaries, and reporting obligations including the need to exercise vigilance in reporting any incident, or suspected incident or concern, to their direct manager. Mandatory requirements for the reporting of allegations of Physical and Sexual Abuse must be managed by Operations Manager and CEO in a timely manner as prescribed by funding requirements.

Every situation will be treated with respect and assessed on the individual circumstances and in accordance with departmental guidelines.

Reporting allegations of physical or sexual assault

Physical or sexual assault constitutes a Serious Incident and must be immediately reported to the most senior staff member available or the CEO. In the event of such an incident management and staff will be required to refer to/follow the Incident reporting procedure. All suspected, actual or alleged incidents of physical or sexual assault must be reported to the Operations Manager who will respond in accordance with Government Guidelines.

Managing an allegation of abuse

If the CEO believes that the participant is at immediate risk, take whatever steps are required to mitigate the risk and ensure the participant's safety while the matter is fully investigated. Staff will follow the Incident Reporting procedure and mandatory reporting procedure. The Operations Manager in consultation with staff and the participant, their family, carer or advocate will determine whether to take further action.

Where an allegation is made about a staff member, that participant may be removed from duty until the allegation is resolved. Staff members involved in allegations will be supported until that allegation is substantiated or resolved. Staff members will be offered employee assistance.

We will involve family members or advocates where appropriate and requested by the participant and seek the advice and expertise of other professionals and involve other government organisations as required, to determine whether to take or not take action or investigate the allegation.

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The CEO has responsibility to continue to monitor the situation, review at predetermined timeframes record and document the decisions taken and the reasons that led to the decisions.

If the matter involves any actions that are unlawful immediately advise the CEO who will in turn ensure the relevant authorities (police, funding bodies, NDIA Commissioner) are notified.

Ensure that the participant receives the appropriate professional support and counselling as required.

Once the matter has been finalised identify areas of service improvement with the aim of preventing any similar incidences occurring in the future.

Provide participants and their families, significant others or advocates feedback and outcomes resulting from the incident.

Reports of domestic violence

Where staff are informed of domestic violence or suspect that domestic violence is occurring within a family, they should discuss this with their direct manager. Family members will be supported to access professional organisations which specialise in domestic violence.

Participants may also ring the National Abuse and Neglect Hotline on 1800 880 052

References:

National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018

Incident Management Systems Detailed Guidance for Registered NDIS Providers June 2019

The National Disability Insurance Scheme Act 2013.