

COR01 PREVENTING AND RESPONDING TO ABUSE, VIOLENCE, NEGLECT AND EXPLOITATION

Making sure that people at Bedford are safe from harm

1. PURPOSE

To define Bedford's zero tolerance of abuse, violence, neglect or exploitation.

To ensure that people accessing our supports and services are protected from harm and are aware of their right to report abuse, violence, neglect or exploitation and are supported both during and after doing so.

To ensure that Bedford has systems to prevent, identify, report and address abuse, violence, neglect or exploitation, that incorporated systems and processes comply with legislation, and that Bedford Staff are aware of and comply with their responsibilities.

2. SCOPE

This Policy applies to all Staff at Bedford.

This Policy forms part of Bedford's Client Quality, Safety and Wellbeing Framework and must be read in conjunction with Policies and Procedures on Client Incident and Client Complaints Management.

3. POLICY

Bedford has zero tolerance for violence, abuse, neglect, exploitation or discrimination in relation to service or support provision for our Clients. This includes Clients who are Children or Children that we come into contact with as a result of the provision of services.

Bedford acknowledges the rights of people with disability to be safe from harm and is committed to upholding these rights by creating and maintaining an environment which aims to ensure that Clients are free from abuse (including neglect, violence or exploitation).

Bedford takes all reports/concerns related to abuse seriously. Bedford staff must report any concerns/suspicions or incidents of abuse to Management as soon as they become aware of them. In return, Management must then immediately respond to these reports in line with this Policy.

Bedford will endeavour to safeguard Clients from abuse while receiving services and supports from Bedford by:

- Maintaining compliance with relevant State, Federal and NDIS legislation, policies and processes, including reporting incidents and allegations of abuse to the relevant authorities.
- Maintaining its Client Quality, Safety and Wellbeing Framework, in particular, developing and maintaining robust procedures for the identification, reporting, investigation, response and management of incidents/concerns of abuse of people with disability and children.

- Ensuring that Clients are aware of their rights, including that of reporting and advocacy.
- Ensuring that Clients are provided with appropriate support during the process of reporting, investigating and responding to their claims and concerns.
- Ensuring that any person making a report in line with this Policy is protected from any negative repercussions.
- Educating Staff in recognising the signs of abuse, about Bedford's incident and complaints management processes and their responsibilities in relation to this Policy.
- Identifying Staff with roles within this Policy (and related procedures/processes) that includes formal reporting and/or management of reporting abuse.
- Ensuring that Staff receive the required training in their role/responsibilities within this Policy and related procedures/processes.
- Taking appropriate steps to restrict the engagement of unsuitable individuals via robust employment probity processes, including worker screening and related practices.
- Ensuring that suitable and detailed records are kept in accordance with applicable privacy principles.

Failure to comply with this Policy will be investigated and addressed accordingly, and may result in disciplinary action, including possible termination of employment or placement.

4. DEFINITIONS

Abuse – Is the violation of a person's human or civil rights, through the act or actions of another person or persons. Abuse can be a single incident or arise from a pattern of actions. The threat of such acts or behaviours may also be considered abuse. Types of abuse include:

- Physical Abuse - any non-accidental physical acts towards a person that are intended to cause hurt or harm. Acts that result in that person experiencing significant pain, shock or other unpleasant sensation. In some circumstances, acts of physical abuse will also amount to unlawful physical contact or assault, and may cause a serious injury to the person.
- Sexual Abuse - Any sexual activity (either physical, verbal, written, video/photographic/images, via text or social media) with an adult who is unable to understand, has not given consent, is threatened, coerced or forced to engage, be involved in or exposed to sexual behaviour. Refer also "Child sexual abuse" below.
- Child Sexual Abuse – Any sexual act or threat to a Child or young person under the age of 16 that causes them harm or causes them to be frightened or fearful. Children and young people are sexually assaulted when a person uses their age, size, authority or position of trust to force the child into a sexual activity. This can include a range of behaviours such as forcing a child or young person to: look at pornographic magazines or DVDs; watch someone masturbate; be kissed, touched or fondled in a sexual way or to sexually penetrate them.
- Psychological or Emotional Abuse – Verbal or non-verbal acts that cause significant emotional or psychological anguish, pain or distress, including verbal taunts, threats of maltreatment, harassment, humiliation or intimidation, or a failure to interact with a person or acknowledge the person's presence. This may include denying cultural/religious needs.
- Constraints and Restrictive Practices - Restraining or isolating a person other than for medical necessity or to prevent immediate harm. Refer also Bedford Policy on Restrictive Practices.

- **Financial Abuse** – Improper or illegal use of money (including NDIS funds where they are managed by the individual person with disability), property, resources or assets of a person, including improperly withholding finances from that person, and coercing or misleading the person as to how the funds or property will be used.
- **Exploitation** – The improper use of another person or the improper use of or withholding of another person’s assets, labour, employment or resources, including taking physical, sexual, financial or economic advantage.
- **Legal or Civil Abuse** – The threat or use of legal proceedings or reports to statutory authorities (including the Police) to coerce, threaten or force a person to take action against their will or interests. This also includes the denial of access to justice or legal systems that are available to other citizens.
- **Systemic abuse** – The failure to recognise, provide, or attempt to provide adequate or appropriate services, including services that are appropriate to the person’s age, gender, culture, disability support needs or preferences, that has a significant physical, emotional or psychological impact on the person.
- **A Pattern of Abuse** – In addition to single instances of the above types of abuse, there may also be a pattern of abuse that occurs in any or all of these categories. Patterns of abuse involve repeated behaviour towards a person with disability which may not seem like instances of abuse when considered in isolation. For example, a worker may repeatedly verbally abuse a person with disability by shouting or constantly criticising the person. While this may not cause significant harm or suffering to the individual in each instance, the repetitive nature of the abuse constitutes a pattern of abuse. A pattern of abuse may also occur where the subject of the allegation seeks to abuse several people with disability over time or simultaneously, using a similar pattern of behaviour.

Child – A person aged under 18 years. Bedford may have Children accessing our services through school visits/transition placements, via SLES, or staff may come into contact with Children while working with adult clients (in their home, in the community, family visits to sites etc). **NB** - Children under 16 years are not able to give consent or agree to any sexual act.

Client – A person with disability, receiving services or supports from Bedford. This can include Employees, supported students, students on work experience or transition placements, residents, members and people receiving services or support from Bedford through the National Disability Insurance Scheme (NDIS). For the purposes of this Policy, the term “Client” also denotes a Child that Bedford staff may come into contact with while working with adult Clients (such as in the workplace, in a Client’s home, in the community, family visits to sites etc).

Employee – A person with a disability receiving employment support.

Management – At Bedford the term “Management” is used to describe any staff employed to oversee direct line Staff (staff who directly support Clients). Management can include staff who are in roles such as Client Services Coordinator, staff supervisor roles, Managers, General Managers and Executive.

Neglect – Neglect can be a single significant incident or a systemic issue involving the failure to protect a person from abuse, or to provide the necessary care, supervision, support, aid or guidance to dependent adults or Children, by those responsible for their care. Forms of neglect include (but are not limited to):

- **Physical Neglect** – Failure to provide adequate food, shelter, clothing, protection, supervision and medical/dental care or support, that places a person at undue risk through unsafe environments or practices.
- **Passive Neglect** – Withholding or failure to provide the necessities of life e.g. including food, clothing, education, shelter, treatment or medical care.

- **Willful Deprivation** – Willfully denying a person assistance or access to the basic necessities of life, including medication or medical care, shelter, food, therapeutic devices or other physical assistance, thereby exposing that person to risk of physical, mental or emotional harm.
- **Emotional Neglect** – Restricting the social, intellectual and emotional growth or wellbeing of a person.

SLES – School Leaver Employment Supports.

Staff – For the purposes of this policy, staff are defined as any person engaged by Bedford to provide services or support the provision of such services; whether they be paid or unpaid workers; including members of the Board and its sub-committees, volunteers, relief staff or labour hire workers. This also includes adult mainstream student placements or people attending a Bedford site to support Clients but whom are not employed by Bedford.

Violence – Behaviour involving physical force intended to hurt, intimidate, damage, or kill someone or something. Can also include behaviour intended to humiliate, frighten or constrain.

5. ASSOCIATED DOCUMENTS

Bedford Policies/Procedures including: Bedford Code of Conduct (including NDIS Code of Conduct), Client Quality Safety and Wellbeing, Management of Client Incidents, Management of Client Complaints, Client Choice and Advocacy, Privacy, Dignity, Confidentiality & Data Integrity, Information Sharing Guidelines – Appendix, Staff Recruitment & Selection, Volunteers, Human Rights & Diversity, Duty of Care, Management of Care Concerns, Restrictive Practices, Police Checks and Background Screening, Discipline & Under Performance Management (under development), and Workplace Harassment, Discrimination & Bullying, Induction.

6. REFERENCES

Children’s Protection Act, 1993 (amended 2010) SA

Children’s Protection Regulations, 2010

National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018

National Disability Insurance Scheme (Quality Indicators) Guidelines 2020

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

National Disability Insurance Scheme - Reportable Incidents. Detailed Guidance for Registered NDIS Providers, June 2019

National Disability Insurance Scheme (Practice Standards – Worker Screening) Rules 2018 and Explanatory Statement

National Disability Insurance Scheme (Code of Conduct) Rules 2018 and Explanatory Statement

Disability Services Act, 1993

National Disability Services Zero Tolerance Framework