

Preventing and Responding to the Abuse, Neglect and Exploitation of People with Disability

Policy Statement:

Employee ME is committed to preventing and responding to the abuse, neglect and exploitation of people with disability.

Employee ME will:

- Ensure that the health, safety and wellbeing of clients in all departmentally provided disability services is the paramount consideration in service provision and that clients are provided with maximum protection from abuse, neglect and exploitation.
- Promote a culture of no retribution in the case of reporting, including but not limited to, the reporting of suspected or alleged abuse, neglect or exploitation or incidents suggestive of abuse, neglect or exploitation.
- Provide staff with skills to correctly identify situations involving clients who may be in a situation, or at risk, of harm, abuse and neglect. Employee ME understands there is a requirement to inform/train staff and actively includes techniques the team can apply to prevent and respond to instances where staff have identified issues of abuse, neglect and exploitation.
- Ensure there are systems to identify abuse, neglect or exploitation of service users and the team are aware of how to use such systems.
- Ensure timely, adequate and appropriate responses to incidents in line with the expectations of this policy.
- Foster best practice through ongoing systems review.
- Promote an integrated, evidence-based approach to the prevention and identification of and response to abuse, neglect and exploitation, which is supported by ongoing and appropriate workforce development and training.

Principles:

The Disability Services Act 2006 recognises that people with disability have the same human rights as other members of society and should be empowered to exercise their rights. These include the right to:

- Respect for their human worth and dignity as individuals; and
- Live lives free from abuse, neglect or exploitation.

This is best achieved through an integrated approach that targets the cultural, environmental and interpersonal causes of abuse, neglect and exploitation.

Principles of Prevention of Abuse, Neglect and Exploitation

- Strategies to prevent the abuse, neglect and exploitation of people with disability include the reduction of isolation, and the enhancement of social connections.
- People at-risk have the right to be provided with tailored advice and support. This includes appropriate skill development for people with disability in improving personal safety and capacity for safe participation in their communities.
- Systems are established and communicated to the team to prevent the occurrence or recurrence of abuse, neglect and exploitation within the service delivery context.

Principles of Identification of Abuse, Neglect and Exploitation

- Early intervention approaches are implemented for the identification of the abuse, neglect and exploitation of people with disability, taking particular care of known risk situations, both systemic and individual.
- Regular system reviews are in place so that gaps which may contribute to a person experiencing abuse, neglect or exploitation are identified and remedied.

Principles of Effective Response

- Staff are trained in the prompt identification and appropriate actions for instances of client abuse, neglect and exploitation.
- Staff are committed to reporting and openly disclosing any suspected or alleged incidents of abuse, neglect and exploitation. Protections are afforded to any person who makes a public interest disclosure, in accordance with the Public Interest Disclosure Act 2010 (see section 36).
- Any suspected or alleged incidents of abuse, neglect and exploitation of clients are reported in line with the requirements of Employee ME's Incident Reporting Policy.
- Specific consideration is given to individual, organisational and systemic issues around client-to-client abuse.
- Clients who experience abuse, neglect or exploitation have the right to:
 - complain about the service they receive, or any form of abuse, neglect or exploitation experienced within departmentally provided disability services without fear of retribution;
 - pursue grievances and complaints and fair and equitable access to the criminal justice system without fear of the services being discontinued or recriminations from service providers; and
 - access appropriate support services to assist with the effects of abuse, neglect and exploitation where appropriate.
- Any person who reports suspected or alleged incidents of abuse, neglect and exploitation of a client has the right to have their safety and rights respected and safeguarded.

- Families and carers who have identified and reported incidents of abuse, neglect and exploitation have the right to be provided with supports for the response to incidents of abuse, neglect and exploitation.

Principles of Service Development, Coordination and Delivery

- Service reforms to prevent, identify and respond to the abuse, neglect and exploitation of clients are consistent with the principles of the Disability Services Act 2006.
- Services are designed and implemented as part of local coordinated service systems and integrated with services and supports generally available to members of the community.
- Individual and environmental risk assessments inform service provision and protect clients.
- Services meet the needs of clients experiencing additional barriers because of their age and gender or because of their rural and remote location.

Principles of Workforce

- Human resource management systems and practices support effective recruitment and selection (including compliance with statutory requirements such as criminal history screening), performance monitoring and development, and performance management. This extends to educational resources and hands-on training.
- The cultural needs of clients from Aboriginal and Torres Strait Islander and culturally and linguistically diverse backgrounds in Queensland are safeguarded through training in cultural competency.
- Good practice in behaviour intervention and management is promoted and resourced.
- Management is effective, responsive, stable and skilled.
- The workplace culture supports continuous learning and professional development to respond to the needs of individuals being supported.

Objectives:

This policy aims to ensure disability rights conferred by the Disability Services Act 2006 are upheld through:

- promoting safer communities and better-quality services to clients through the implementation of effective measures to prevent, identify and respond to abuse, neglect and exploitation; and
- ensuring that clients are provided with adequate and appropriate supports for the response to incidents of abuse, neglect and exploitation.

Roles and Responsibilities:

1. Employee ME

It is the role of Employee ME to:

- Promote a culture within services and a proactive systems approach to prevent and identify abuse, neglect and exploitation of clients.
- Support and influence training of staff in all departmentally provided disability services.
- Develop and implement effective communication strategies to promote this policy
- Report to the relevant authority or agency when required.
- Support and monitor the implementation of the policy within all departmentally provided disability services.

2. Managers Provided Disability Services

Managers of departmentally provided disability services have specific responsibilities to ensure the prevention, identification and response to the abuse, neglect and exploitation of clients. They also have the responsibility to educate and debrief their team on best practice techniques and actions.

Prevention of abuse, neglect and exploitation of people with disability

It is the role of managers of the services to:

- Ensure that all staff and volunteers are aware of, trained in, compliant with and implement the policy and procedures on preventing and responding to the abuse, neglect and exploitation of clients.
- Provide active support to staff to create an appropriate service culture in accordance with the policy.
- Ensure staff are trained to recognise and prevent/minimize the occurrence or recurrence of abuse, neglect and exploitation of clients within a service delivery context.
- Develop a coordinated and uniform approach to promoting the rights of clients within their families, communities and cultures.

Identification of abuse, neglect and exploitation of people with disability

It is the role of managers of the services to ensure:

- Systems are in place to identify and remedy gaps which contribute to a client experiencing abuse, neglect or exploitation.
- Staff are trained in early intervention approaches where potential or actual abuse, neglect or exploitation of clients is identified.

Responding to abuse, neglect and exploitation of people with disability

It is the role of managers of the services to ensure:

- There is a culture of no retribution for any person who reports abuse, neglect or exploitation of a person with disability.
- Guardians or substitute decision makers are informed of alleged or suspected instances of abuse, neglect and exploitation, unless the guardian or decision maker is the alleged or suspected perpetrator of the abuse, neglect or exploitation, in which case a decision should be made on a case by case basis.
- Relevant staff advise clients, their families and advocates about:
 - support services, which are equipped to identify abuse, neglect and exploitation and able to refer individuals to appropriate specialist services;
 - their right to pursue grievances and complaints and access the criminal justice system.
- Any concerned person, including but not limited to, the person with disability, another consumer, relative, friend or person from the community is able to make a report or an allegation of abuse, neglect and exploitation, without fear of retaliation or retribution.
- All staff supporting clients are respectful of their rights and needs.
- Abuse, neglect or exploitation of clients is reported to the relevant authority in line with the requirements of Employee ME's Incident Reporting Policy.

3. Staff of Departmentally Provided Disability Services

It is the role of all relevant staff to:

- Provide services to clients in a manner that is consistent with the policy.
- Support management to create a culture of no retribution for reporting of suspected abuse, neglect or exploitation.
- Provide active support to other staff to create an appropriate service culture in accordance with the policy.
- Report all alleged or suspected instances of abuse, neglect and exploitation in accordance with Employee ME's Incident Reporting Policy.
- Cooperate with the investigation of any complaint relating to the provision of services.
- Provide appropriate support to the person making the report.