

PREVENTING AND RESPONDING TO ABUSE, ASSAULT AND NEGLECT

OVERVIEW

The safety and well-being of all Advocacy for Disability Access and Inclusion Inc. clients, staff, Board Members and associates is paramount. ADAI actively works to protect the life, liberty and integrity of all people and prevent abuse, harm, neglect and violence.

Responding to abuse is about being ready to respond appropriately, quickly and effectively to any incidents of abuse, neglect and violence and having clear policy guidelines and set actions to take to respond when abuse occurs, including supporting victims and working with authorities.

POLICY

All staff should be familiar with the specific policies and procedures for responding to abuse, neglect, violence and exploitation that apply within their organisation.

Staff should also engage in regular training Staff to be aware of rights and responsibilities under State and Commonwealth law, Convention on the Rights of People with Disabilities, National Standards for Disability Services, and NDIS Quality and Safeguards Commission regarding roles and responsibilities for preventing & Responding to Abuse, Assault & Neglect.

Anyone who witnesses or is notified about an incident or allegation of abuse, neglect and exploitation in relation to a person with a disability should take action.

The safety and best interests of the person subjected to abuse, assault or neglect must be a paramount consideration in any response to a report, allegation or suspicion of abuse, assault or neglect, without discrimination of any kind.

This will include seeking immediate medical assistance where appropriate and taking all reasonable steps to avoid contact between the person and alleged offender.

A response must be made promptly, appropriately and in accordance with clearly documented procedures when an allegation or report is made.

All management, staff and volunteers have a duty of care to report all alleged or suspected instances of abuse, assault and neglect in accordance with the National Standards for Disability Services and mandatory reporting as required under the Disability Services Act and the Children's Protection Act 1993, and in some instances the NDIS Quality and Safeguarding Commission.

Any concerned person, including but not limited to, the person, another member, staff member, volunteer, relative, friend or person from the community is able to make a report or an allegation, without fear of retaliation or retribution.

The Board of Management, Chief Executive Officer, Business Manager and staff of Advocacy for Disability Access and Inclusion Inc. are responsible for ensuring that all reasonable steps are taken by the organisation, staff and volunteers to prevent the abuse, assault or neglect of any individual linked to the service.

PROCEDURE

Staff who directly respond to an incident ADAI will prepare a documented response when an allegation of abuse assault or neglect is made, and report it to the following:

- Stipulate that any report, allegation or suspicion of abuse, assault or neglect will be immediately reported to the police
- Department of Families SA Child Abuse Reporting Line (CARL)
<https://my.families.sa.gov.au/IDMProv/landing.html> ,

or in the case of people with disability

- The Disability Abuse and Neglect Hotline:
<https://www.jobaccess.gov.au/people-with-disability/do-you-need-report-abuse-or-neglect-people-with-disability>; or
- NDIS Quality and Safeguarding Commission
<https://www.ndiscommission.gov.au/>
- Community Services and Health Complaints Commissioner
www.hcsc.sa.gov.au

If the person is under 18, the family or guardian must be notified of the allegation in a timely manner.

If the person is over 18 and the person has a guardian, the guardian must be informed of the allegation in a timely manner. With the person's consent, other relevant people, including family, can be notified of the allegations.

ADAI Management (CE) upon receipt of an allegation or report of abuse, neglect, violence must outline to reporting staff all necessary tasks, roles and responsibilities to be undertaken, including designating a person to be responsible for receiving, responding to or coordinating the response to all reports of abuse, assault or neglect.

Roles and responsibilities include:

- Providing a reasonable and appropriate timeframe for response.
- Stipulating the requirement for detailed accurate documentation on all aspects of the incident, including the recording of any follow up or additional actions undertaken.
- Stating how and where all documentation is to be stored or kept secured and who will have access to these records.
- Ensuring the person's right to privacy and confidentiality is respected.
- Ensuring that a person making an allegation or reporting an incident does not experience any retaliatory action as a consequence of making the allegation or report and that any report or allegation that is made is treated with sensitivity.
- Ensuring that the legal rights of the alleged offender are not infringed and that their right to natural justice is upheld.

In instances where the member is an adult and there is concern about the presence of impaired capacity, and there is no appointed financial administrator or family, advocate, or authorised attorney to act on behalf of the consumer, the South Australian Office of the Public Advocate should be notified and consulted.

Advocacy for Disability Access and Inclusion must provide strategies for procedures that:

- Support consumers to exercise choice over all stages of the process wherever possible.

- Provide information to consumers in a format that meets their individual communication needs.
- Where appropriate and lawful, provide clients, their families, guardians, friends, carers and advocates with information about the progress of any known report or investigation.

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