

# Policy: Violence, Abuse, Neglect, Exploitation and Discrimination

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Version: Version 3

## Introduction

Inclusive Housing Australia (IHA) is a dedicated provider of Specialist Disability Accommodation (SDA). IHA builds and manages accommodation for people with disability to transform their lives by helping them to live independently. SDA does not refer to the disability support services a person receives, rather the homes in which these services are delivered. While we will help participants to navigate the NDIS system, it will be the responsibility of individuals to negotiate their relationships with other providers. This policy has been developed as a set of rules and principles that guide our people about how to act in the workplace. Procedures are currently under development.

## Policy statement

IHA's Violence, Abuse, Neglect, Exploitation and Discrimination Policy has been developed to ensure participant accesses supports free from violence, abuse, neglect, exploitation or discrimination.

All IHA staff will be aware of their roles and responsibilities and have the means to prevent, identify and respond to abuse and neglect when it occurs or is suspected.

This policy supports IHA to apply NDIS Core Module, Standard 1: Rights and Responsibilities of the National Standards for Disability Services.

## Scope

This policy applies to all staff including permanent and casual, contract workers, temporary agency workers, and volunteers. This policy is owned by the Board.

## Principles

IHA will act to prevent violence, abuse, neglect, exploitation or discrimination, including:

1. We have a duty of care to implement prevention strategies that include suitable recruitment screening processes and protocols for identifying the risk indicators for abuse and neglect.
  - a. We will respond immediately to allegations of abuse, assault and neglect.
  - b. All staff will receive training in recognising and reporting abuse and neglect.
  - c. Access to records is restricted to those who are directly involved in reporting and responding to the incident or allegation to ensure that a person's right to privacy is upheld.
  - d. Children and young people in voluntary-out-of- home care (VOOHC) are supported throughout the processes of managing an allegation of abuse or neglect.
  - e. A designated person is appointed to be the sole contact for the person, financial manager, NDIS plan nominee or guardian, when providing information about the incident or allegation and subsequent investigations.
  - f. All staffing levels and witnesses will cooperate with the investigation of NSW Police and other agencies as required.
  - g. All staffing levels will under no circumstances impede or compromise any investigation by the NSW Police and/or other agencies.
  - h. The roles and responsibilities of management, staff and volunteers in responding to a report or allegation of abuse and/ or neglect are documented in the procedures.
2. Each participant is provided with information about the use of an advocate (including an independent advocate) and access to an advocate is facilitated where allegations of violence, abuse, neglect, exploitation or discrimination have been made.
  - a. Provide information about the use of an advocate and facilitate access to an advocate.
  - b. Listen to the complaint, including learn to understand the way people communicate, including their communication preferences and wishes
  - c. Keep people informed about what is going to happen before taking action and throughout any response to abuse and neglect
  - d. Ensure that people with high support needs and/ or communication difficulty are well supported to enable detection and prevention of abuse and neglect
  - e. Provide information in a format that supports the person (for example, plain English, communication pictographs, photos or picture cards etc) and as relevant, their family and friends, advocate or guardian, to identify and report abuse of neglect

- f. Ensure appropriate physical, emotional and psychological support is available to and easily accessible by a person following an allegation or report of abuse or neglect
3. Allegations and incidents of violence, abuse, neglect, exploitation or discrimination, are acted upon, each participant affected is supported and assisted, records are made of any details and outcomes of reviews and investigations (where applicable) and action is taken to prevent similar incidents occurring again.
  - a. Ensure all emergency procedures have been followed.
  - b. Follow the victim's wishes in relation to who will be advised about the incident, if the person can make this known. Usually the manager will notify the guardian or person responsible as soon as possible after an incident.
  - c. Ensure all documentation is correct.
  - d. Appropriate reporting is made to:
  - e. NDIS Quality and Safeguards Commission any reportable incident that falls under the National Disability Insurance Act 2013.
  - f. Child Protection Helpline on 132 111 for persons under the age of 18 years
  - g. NSW Ombudsman any reportable incident that falls under Part 3C of the Ombudsman Act 1974 for persons under the age of 18 years.

#### Definitions

**Informed consent:** voluntary agreement and willing acceptance of a proposition and following action where the person making the decision has appropriate information and capacity to make the decision free of fear or influence.

#### Related Documents

IHA SDA Handbook

IHA SDA Agreement

#### Related legislation and policy

Legislation, policy, guidelines or other material that directly relates to this policy include:

- Carers Recognition 2010 NSW
- Children and Young Persons (Care and Protection) Act 1998
- Children and Young Persons (Care and Protection) Regulation 2012, Schedule 3
- Child Protection (Working with Children) Act 2012
- Child Protection (Offenders Regulation Registration) Act 2000
- Community Services (Complaints, Reviews and Monitoring) Act 1993 (CRAMA)

- Crimes (Domestic and Personal Violence) Act 2007 and Amendment Act 2008 No:119
- Criminal Procedures Act 1986
- Criminals Record Act 1991
- Disability Inclusion Act 2014
- Guardianship Act 1987
- Independent Commission against Corruption Act 1988
- Law Enforcement (Powers and Responsibilities) Act 2002
- Mental Health (Criminal Procedure) Act, 1990
- National Disability Standards 1993
- NSW Crimes Act 1900 and Section 316 NSW Crimes (Forensic Procedures) Act 2000
- National Disability Insurance Act 2013 Privacy and Personal Information Protection Act, 1998
- The Home Care Service Act 1988
- National Disability Insurance Scheme Act 2013
- National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2016.National Standards for Disability Services
- NDIS Quality and Safeguarding Practice Standards 2020

If any person feels that a part of IHA's policies are not in the best interest of persons we support or do not reflect the intent or practices of person-centred care, the matter is to be referred to the Chief Operating Officer at [info@inclusivehousing.com.au](mailto:info@inclusivehousing.com.au). The Chief Operating Officer shall consider concerns expressed regarding policies and procedures. The Chief Operating Officer, at their discretion, is the only person who may make an exception to the policies.

This policy is further reinforced through IHA's SDA Handbook and other communications with Participants.

#### [Changes to this policy](#)

This Policy is subject to change at any time. Please check our Policy on our website [www.inclusivehousing.com.au](http://www.inclusivehousing.com.au) regularly for any changes.

#### [Approvals](#)

Date of approval:

Date of review:

Signature of Chief Operating Officer:

Signature of Board Chair: