



# Violence, Abuse, Neglect, Exploitation and Discrimination

## Policy

### Purpose

FOCAL Community Services (FOCAL) recognises the right of clients to feel safe and to live in an environment where they are protected from assault, neglect, exploitation, discrimination or any other form of abuse. People with disabilities, children and young people are one of the most vulnerable groups in our society. It is essential that FOCAL identify, consult and respond to instances where persons with disabilities, children or young persons are at risk of significant harm.

Common reasons for people with disabilities, children and young people to be at risk of significant harm include:

- Domestic and family violence
- Physical, sexual and/or emotional abuse

The impact of violence, abuse and neglect can span across all domains of a person's development and life experiences. People who experience violence, abuse and neglect are more likely to have problems with:

- Learning and development
- Physical and mental health
- Behaviour

The purpose of this document is to prevent and mitigate the effects of violence, abuse and neglect on clients through training and implementing processes to inform staff and protect clients who are at risk of significant harm.

### Scope

FOCAL will encourage and support any person who has witnessed the abuse of a service user or, who suspects that abuse has occurred, to make a report and be confident of doing so without fear of retribution.

### Definitions

**Abuse and Neglect:** Any behaviour that is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm to a person. Such behaviours may be intentional or unintentional and can include acts

**Discrimination:** Treating or proposing to treat someone unfavourably because of a personal characteristic protected by the law. Discrimination includes bullying someone because of a protected characteristic.

**Exploitation:** The action or fact of mistreating someone to benefit from their work. The action of making use of and benefiting from resources.

**Violence:** Violent behaviour by a person towards another can include abusive behaviour that is physical, sexual, intimidating and forceful. People with a disability are more likely to experience violence from a carer or family client.

## Types of Abuse

	Signs and Symptoms	Causes
Physical Abuse	Bruising, lacerations, welts, rashes, broken or healing bones, burns, weight loss, facial swelling, missing teeth, pain or restricted movements, crying, acting fearful, agitation, drowsiness, hair loss and/or poor physical well-being	Hitting, slapping, pushing, punching and/or burning, which entails an incident that is non-accidental resulting in pain or injury.
Psychological / Emotional Abuse	Loss of interest in self-care, helplessness, withdrawal, apathy, insomnia, fearfulness, reluctant to communicate openly, chooses not to maintain eye contact, paranoia and confusion.	Intimidation, humiliation, harassment, threatening, sleep deprivation, withholding affection, and/or not allowing the person to maintain their decision-making powers, which leads to a pattern repeated over time.
Sexual Abuse	Unexplained sexual transmitted disease, vaginal/anal bleeding, fearful of certain people or places, bruising to genital areas inner thigh or around breasts, anxiety, torn or bloody underclothes, difficulty in walking or sitting, change in sleep pattern and repeating nightmares.	Rape (penetration and/or oral- genital contact), interest in older person's bodies, inappropriate comments and sexual references, inappropriate (possibly painful) administration of enemas or genital cleansing, indecent assault, sexual harassment which is mainly about violence and power over another person, rather than sexual pleasure
Neglect	Poor hygiene or personal care, unkempt appearance, lack of personal items, absence of health aids, weight loss, agitation, inappropriate clothing and/or lack of food.	The intentional failure to provide basic life necessities.
Domestic and family abuse	Any type of controlling, bullying, threatening or violent behaviour between people in a relationship including emotional, physical, sexual, financial or psychological abuse.	Many experts believe psychopathology. Witnessing abuse as the norm, or being abused, destroys the child's ability to trust others and undermines his or her ability to control emotion

This policy aims to:

- Take a preventative, proactive and participatory approach to client's safety
- Value and empower the client to contribute to decisions which affect their lives
- Foster a culture of openness that supports all persons to disclose the risks of harm to client's safety
- Respect diversity in cultures and child-rearing practices while keeping the client's safety paramount
- Value the input of and communicate regularly with families and advocates
- Provide training to support workers on appropriate conduct and behaviour towards clients
- Engage only the most suitable people to work with clients and have high-quality support workers, volunteer supervision and professional development
- Ensure the clients know whom to talk with if they are worried or are feeling unsafe and that they are comfortable and encouraged to raise such issues
- Report suspected abuse, neglect or mistreatment promptly to appropriate parties including senior management, board and statutory parties as required

- Share information appropriately and lawfully with other organisations where the safety and wellbeing of the client is at risk
- Ensure that any person under an investigation for suspected abuse is stood down while an investigation is undertaken and appropriate action taken depending on the outcome, including termination if guilty.

All incidents that meet the criteria of a Reportable Incident must be recorded as per the *Incident Management Policy and Procedure*.

### **Statement of Commitment to Safety**

FOCAL is committed to the safety and wellbeing of all clients. This commitment is the primary focus of our support and decision-making. FOCAL is committed to providing a safe environment where clients are safe and feel safe. Their voices are heard and included in decisions that affect their lives. Attention is to be paid to the cultural safety of clients from culturally and/or linguistically diverse backgrounds.

Every person involved in FOCAL has a responsibility to understand the critical and specific role they play both, individually and collectively, to ensure that the wellbeing and safety of all clients and young people are at the forefront of all they do and every decision they make.

### **Safe Code of Conduct**

FOCAL is committed to the safety and wellbeing of clients. Our business recognises the importance of, and responsibility for, ensuring our environment is a safe, supportive and enriching environment which respects and fosters the dignity and self-esteem of all people, and enables them to thrive.

This Code of Conduct aims to protect both and clients and to reduce any opportunities for abuse or harm to occur. It also assists in understanding how to avoid or better manage risky behaviours and situations. It is intended to complement child protection legislation, disability legislation, policies and procedures and professional standards, codes or ethics as these apply to staff and other personnel.

FOCAL management supports implementation and monitoring of the Code of Conduct and will plan, implement and monitor arrangements to provide inclusive and safe environments.

All support workers, volunteers and any other community clients involved in client-related work are required to comply with the Code of Conduct by observing expectations for appropriate behaviour below. The Code of Conduct applies in all situations, including planned activities and the use of digital technology and social media.

### **Acceptable Behaviours**

Support workers or any other persons involved with client-related work are responsible for supporting and promoting the safety of client by:

- Always upholding the FOCAL commitment to the client's safety.
- Treating the client and their families and advocates with respect both within the environment and outside activities as part of normal social and community activities.
- Listening and responding to the views and concerns of the client, particularly if they are informing that they or another person has been abused; or that they are worried about their safety or the safety of another client.
- Promoting the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander students through interactions with their community leaders and clients.
- Promoting the cultural safety, participation and empowerment of people with culturally and/or linguistically diverse backgrounds through engagement with the community accessing the service.
- Promoting the safety, participation and empowerment of people with disabilities
- Reporting any allegations of abuse or any personal safety concerns to management.

- Understanding and complying with all reporting or disclosure obligations (including State Mandatory Reporting) as they relate to protecting the client from harm or abuse.
- Maintaining the right to live in a safe environment by promoting and informing the clients of their rights.
- Ensuring that other than appropriately escalating and/or reporting concerns that details remain private and confidential
- If abuse is suspected, ensuring as quickly as possible that the client/s are safe and protected from harm.
- Identify self upon entering premises and using required identification.

### ***Unacceptable Behaviours***

As frontline workers, volunteers and any community client involved in client-related work, we must not:

- Ignore or disregard any concerns, suspicions or disclosures of abuse.
- Develop a relationship with any client that could be viewed as favouritism or amount to 'grooming' behaviour (for example, offering gifts).
- Exhibit behaviours or engage in activities with clients that may be interpreted as abusive and not justified by the educational, therapeutic, or service delivery context.
- Ignore behaviours by other adults towards young clients when they are overly familiar or inappropriate.
- Discuss the content of an intimate nature or use sexual innuendo with clients, except where it occurs relevantly in the context of parental guidance or a therapeutic setting.
- Treat a client unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.
- Communicate directly with an underage client through personal or private contact channels (including by social media, email, instant messaging, texting) except where that communication is reasonable in all the circumstances, related to work or activities or where there is a safety concern or other urgent matter.

### ***Screening, Supervising, Training and Human Resources Practices to Reduce Risk***

The support workers will be required to undertake checks including both Disability Worker Checks, relevant Police and Working with Children Checks, and Mandatory Worker Orientation Module. Records are maintained in their personnel file

## **Procedure**

### ***Strategies to Identify and Reduce or Remove Risk of Harm***

FOCAL recognises that creating a safe organisation begins with a clear understanding of the potential risks to the client and other clients in an organisation's setting, including what could go wrong, and what you can do to reduce or remove these risks.

To reduce the likelihood of harm FOCAL will consider, define and act against its organisational risks.

These strategies include:

- Thinking about the organisation, its activities and the services it provides to clients,
- Planning how to make activities as safe as possible,
- Develop a safety plan for individuals who require additional supports,
- Supporting clients with disabilities to understand plans and safety procedures in a manner that supports their understanding,
- Informing clients that have the right to live in a safe environment,
- Being proactive to reduce the likelihood of risks,

- Ensuring that there are processes for reporting suspicions of abuse and active encouragement of reporting
- Ensuring that any employees under investigation for abuse are stood down during the investigation

### ***Ensuring Focal has clear mechanisms for individuals at risk***

Focal will always strive to deliver services free and safe from abuse, neglect and exploitation.

Focal will always work to ensure that a client is supported by a team of workers. This is more than 2 individuals are responsible for service delivery over a medium to long period of time. In particular, in situations where individuals are at risks (individual living alone or with limited external support or individual with a history or sign of) this risk would have to be documented and mitigated in accordance with NDIS guidelines.

In addition, Focal will always ensure it has clear processes to connect with individuals and stakeholders including the provision of advocacy and support of the client to access the right support from external stakeholders. This includes clear reporting channels, sufficient points of contacts with clients and a range of workers working with the individual.

Those have been further developed in the Identifying and Responding to clients' needs and Goals procedure.

### ***Reporting Violence, Abuse, Neglect, Exploitation and Discrimination***

A report **MUST** be made if:

- A client shows a change in behaviour or mood that may indicate they are being abused.
- You observe someone behaving towards a client in a way that makes you feel uncomfortable.
- A client tells you that they are being abused by another person.
- A person tells you that they are abusing a client.
- A client or visitor tells you that they have observed abusive acts.
- A client informs that they feel discriminated against. (e.g. language and actions)
- A client presents as unkempt or seeking food.
- There is evidence of unexplained bruising or similar.
- You observe an action or inaction that may be considered abusive.
- You suspect or have any reason to believe a client is being abused.

Failure to report an abusive situation may result in a Criminal Offence.

### ***How to Report***

All workers must report concerns to a Senior Manager or directly to the Compliance team as soon as practicable.

The relevant Senior Manager will review the information and notify the CEO. Relevant statutory agencies and other parties will be informed of abuse allegation as soon as practicable.

### ***Details to Provide***

The reporting manager will give the following information to the authorities, including all the current information:

- Client's name, age, date of birth, address
- Description of injury, abuse and/or neglect (current and previous)
- The client's current situation
- The location of the client and alleged perpetrator (if known)
- Explanation of when and how did you find out about the abuse.

## ***Investigating Allegations or Incident***

Senior Manager/CEO to ensure the following steps are undertaken:

1. Gathering data from relevant staff/worker- what occurred, how it occurred, and who was involved.
2. Consult with relevant stakeholders – do not seek information from children or person with diminished capacity (this is a specialist role within the authorities to whom the incident is reported).
3. Inform the client or their family that they can access an advocate for support.
4. Review the outcome against practices.
5. Undertake action to prevent the incident from occurring.
6. In the event the allegation involves a Focal Employee the Senior Manager People and Culture will be engaged to stand down the worker and proceed with an investigation and relevant disciplinary processes including termination where evidence of abuse is substantiated.

## ***Support to the Client***

Reported allegations or incidents require the Quality and Compliance Team to gather all the relevant information and make a report to the relevant authority. Support will be offered to the client appropriate to the allegation or incident. This will include checking if the client would like to have an advocate.

## **Related Documents**

- Client Service Delivery Policy and Procedure
- Child Safe Organisation Policy
- Focal Code of Conduct
- Feedback, Compliments and Complaints Management Policy and Procedure
- Incident Management Policy
- Working with Children Screening Procedure
- Risk Management Framework

## **References**

- NDIS Code of Conduct
- NDIS Practice Standards
- Child Safe Organisations Act 2024 (Qld)
- National Principles for Child Safe Organisations
- Working with Children (Risk Management and Screening) Act 2000 (Qld)

## **Document History**

<b>Date:</b>	<b>Version:</b>	<b>Details:</b>
09/11/2022	1.0	Policy developed and approved
27/05/2024	1.0	Minor formatting changes
22/01/2026	1.1	Minor edits adding references and related documents