

**Violence, Abuse, Neglect, Exploitation and Discrimination Policy and Procedure**

**Purpose**

Child and Adolescent Psychology Services promotes participants rights to feel safe and to be supported in an environment that provides protection from assault, neglect, exploitation, discrimination, or any other form of abuse. CAPS will identify, consult, and respond to instances where participants are at risk of significant harm.

Common reasons participants may be at risk of harm:

* Domestic and family violence
* Physical, sexual, and emotional abuse
* Neglect

This policy is designed to assist in prevention and mitigation of the effects of violence, abuse, and neglect on participants through training and implementing processes to inform staff and protect participants.

**Scope**

Any person who suspects or has witnessed the abuse of a participant is encouraged and supported in making a report.

**Definition**

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 of omission (i.e., neglect) and commission (i.e., abuse).

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

Exploitation: Mistreating someone to benefit from their work or 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/or forceful.

Types of abuse

*Physical abuse*

Signs and symptoms:

* Bruising
* Lacerations
* Welts
* Rashes
* Broken or healing bones
* Burns
* Weight loss
* Facial swelling
* Missing teeth
* Painful or restricted movements
* Crying
* Acting fearful
* Agitation
* Drowsiness
* Hair loss
* Poor physical well-being

Causes:

* Hitting
* Slapping
* Pushing
* Punching
* Burning
* Incidents that are non-accidental, resulting in pain or injury.

*Psychological/emotional abuse*

Signs and symptoms:

* Loss of interest in self-care
* Helplessness
* Withdrawal
* Apathy
* Insomnia
* Fearfulness
* Reluctant to communicate openly
* Chooses not to maintain eye contact
* Paranoia
* Confusion

Causes:

* Intimidation
* Humiliation
* Harassment
* Threatening
* Sleep deprivation
* Withholding affection
* Not allowing the person to maintain their decision-making powers

*Sexual abuse*

Signs and symptoms:

* Unexplained sexually 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

Causes:

* Rape (penetration 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*

Signs and symptoms:

* Poor hygiene or personal care
* Unkempt appearance
* Lack of personal items
* Absence of health aids
* Weight loss
* Agitation
* Inappropriate clothing
* Lack of food

Causes:

* The intentional failure to provide basic life necessities

*Domestic and family abuse*

Signs and symptoms:

* Controlling behaviour
* Bullying
* Threatening behaviour
* Violent behaviour
* Emotional abuse
* Physical abuse
* Sexual abuse
* Financial abuse
* Psychological abuse

These are between people in a relationship

Causes:

* Witnessing abuse as the norm
* Being abused
* Destroys the child's ability to trust others and undermines their ability to control emotion

**Policy**

Policy aims to:

* Take a preventative, proactive and participatory approach to participant safety
* Empower and value participants independent decision making
* Encourage openness and support for all persons to disclose the risks of harm to participant safety
* Respect for diversity in cultures and child-rearing practices, while keeping the participant's safety paramount
* Provide training to staff on appropriate conduct and behaviour towards participants
* Only place suitable people to work with participants
* Ensure participants know who they can contact if they are worried or feeling unsafe and that they are comfortable in raise any issues
* Report suspected abuse, neglect, or mistreatment with efficiency to the appropriate authorities
* Share information appropriately and lawfully with other organisations where the safety and wellbeing of the participant is at risk
* Regularly communicate with families and advocates and value their input

In the case of an incident, then the Reportable Incident, Accident and Emergency Policy and Procedure will apply.

Statement of commitment to safety

CAPS is committed to the safety and wellbeing of its participants. This is the main focus in support and decision making. CAPS is committed to providing an environment where participants are safe and included, and they feel that their voices are being heard. Participants from culturally or linguistically diverse backgrounds are paid attention to ensure their diversity is respected.

All CAPS employees have a responsibility to understand the role they play in ensuring the wellbeing and safety of all participants and that their decision-making focuses on the wellbeing of participants.

Safe Code of Conduct

CAPS is committed to abiding by the NDIS Code of Conduct. All employees are required to have a complete understanding of the Code of Conduct, so they can maintain a high level of care regarding participant wellbeing.

All Staff are committed to behaving and supporting participants in line with the expectations of the Code of Conduct.

Acceptable behaviours

Employees will support and promote participant safety by:

* Upholding participant's safety
* Respecting the participant, their family and advocates
* Listening and responding to the views and concerns of the participant
* Promoting cultural safety, participation, and empowerment of Aboriginal and Torres Strait Islander people
* Ensuring the safety, participation, and empowerment of people with culturally or linguistically diverse backgrounds within reasonable measure
* Promoting the safety, participation, and empowerment of people with disabilities
* Efficiently reporting all allegation of abuse or concerns for safety
* Complying with relevant reporting or disclosure obligations
* Maintaining a safe environment through informing the participants of their rights
* Ensuring all available measures are taken so that participants are safe and protected from harm as soon as abuse is suspected
* Participants can identify employees upon their arrival with the use of identification if necessary

Unacceptable behaviours

Employees will not:

* Ignore concerns or disclosures of abuse
* Form relationships with participants that involve favouritism or grooming behaviour
* Engage in behaviours or activities with participants that are abusive and unjustifiable in service delivery
* Ignore inappropriate behaviours from adults towards children
* Discuss intimate or sexual content with participants
* Discriminate against a participant because of their disability, age, gender, race, culture, vulnerability, sexuality and/or ethnicity
* Communicate with participants through personal or private contact channels, e.g., social media, email, instant messaging, or texting, except when it is related to work and supports

Policies and Procedures that reduce risk

All employees must undergo the screenings and training outlined in the worker induction and annual training. New workers will be supervised for a minimum of one shift and may be supervised again through review processes. Policies and Procedures outlined in the Human Resources Policy and Procedure help to ensure appropriate conduct by workers.

**Procedure**

Strategies to identify and reduce or remove the risk of harm

* Reviewing the organisations activities and the supports it provides
* Planning activities with consideration of how to make them as safe as possible
* Creating safety plans for participants that are in need
* Assisting participants in understanding plan and procedures in a manner appropriate to their communication needs
* Informing participants of their right to live in a safe environment
* Taking proactive measures to reduce the likelihood of risks

Reporting

Employees must report:

* A participants change in behaviour or mood which is a suspected result of abuse
* An individual’s behaviour towards a participant that makes the participant and/or others uncomfortable
* A participants claim that they are being abused
* If an individual indicates that they have been abusing a participant
* An individual claims that they have witnessed abuse
* A participant stating that they feel discriminated against
* A participant with a untidy appearance and/or clear signs of neglected personal hygiene
* A participant seeking food in a manner that is unusual (e.g., consistently over multiple shifts)
* Unexplained bruises or other injuries
* The witnessing of an individual’s action or inaction that could be considered abuse
* When there is any other reason to believe a participant is being abused

Not reporting abuse is a criminal offence.

Assault identification and response

*Identified potential or real risk of harm to participant*

* Notify management of the suspected or actual abuse, exploitation, or discrimination
* If a real risk has occurred CAPS will follow the process outlined in the Incident Management Policy and Procedure

*Response to potential or real risk of harm to participant*

* The notified manager will contact the police and/or governing state body
* Offer to contact relevant support persons for the participant
* If no actual harm has occurred, then CAPS will collaborate with the participant in creating a prevention strategy

*Documentation*

* The employee that reported the incident must complete an Incident Report
* The CEO will carry out investigation and complete the Incident Investigation Form

*Follow up*

* The relevant manager will follow up with the participant so they can ensure the participant is receiving all necessary support
* The incident management system will be reviewed in order detect any need for additional preventative measures
* Staff will receive the required training to prevent the harm of participants

Reporting roles

Staff authorised as a Reportable Incident Approver, responsibilities:

* Can review reports before they are submitted to the NDIS commission
* Submits new reportable incidents
* Can view previous reportable incidents that have been submitted by CAPS

Staff authorised as a Reportable Incidents Notifier, responsibilities:

* Supports the Reportable Incident Approver in the collection and reporting of the required information
* Drafts new incident reports that will be reviewed and submitted by the Authorised Reportable Incident Approver

How to report

Refer to the Violence, Abuse, Neglect and Discrimination Policy and Procedure for reporting to NDIS Commission.

The CEO will report a child being at risk of harm or neglect to the Department of Family and Community Service via:

Child Protection Helpline

North Division: 1300 664 977

South Division: 1300 655 795

East Division: 1300 360 391

West Division – metropolitan: 1300 664 977

West Division – rural and regional: 1800 075 599

After hours: 131 278

Or if the concerns are life threatening, ring the police: 000

Details to provide

* Participants name, age, date of birth and address
* Description of previous and current injury, abuse and/or neglect
* Participants current situation
* If known, the location of the participant and the alleged perpetrator
* An explanation of who discovered the abuse and when and how the abuse was discovered

Investigating allegation or incident

When investigating an allegation or incident, the CEO will gather all the relevant information needed to thoroughly complete an Incident Investigation Form.

Support the participant

Supports offered to the participant will be relevant to the allegation or incident and will consider their individual needs.

If required, the participant will be assisted in acquiring an appropriate advocate.