

Freedom from Abuse and Neglect Policy

ONCALL

ONCALL/SACARE¹'s vision is to be nationally recognised as the leading integrated community service provider, empowering people to live their best lives. ONCALL is steadfastly focused on quality service that puts the client at the centre, is enabled through technology transformation, and delivered by people who are committed.

Quality and compliance are embedded into our daily actions and behaviours. ONCALL's policies and procedures provide the foundation and framework for our work and actions to ensure we provide best practice service quality and compliance. All staff are required to know and apply ONCALL policies and procedures that apply to their work.

Policy Purpose

The purpose of this policy is to ensure that all people supported by ONCALL receive a service in an environment that is free from abuse, harassment, neglect, and exploitation. This policy outlines ONCALL's commitment to preventing and responding to events of abuse, neglect, and exploitation. This policy is developed in accordance with:

- NDIS Practice Standards Core Module 1: *Each participant accesses supports free from violence, abuse, neglect, exploitation or discrimination*
- Victorian Human Services Standards Standard 3: *Services are provided in a safe environment for all people, free from abuse, neglect, violence and/or preventable injury*
- National Principles for Child Safe Organisations Principle 1: *Child safety and wellbeing is embedded in organisational leadership, governance and culture*
- Victorian Child Safe Standard 2: *Child safety and wellbeing is embedded in organisational leadership, governance and culture*

Policy Scope

This policy applies to all ONCALL staff and Board members and covers current and historical disclosures. All ONCALL staff shall be responsible for ensuring that policies and procedures are implemented to prevent abuse, harassment, assault and neglect.

Policy Statement

ONCALL will promote and adhere to the human rights of people with disabilities and empower them to exercise their rights. ONCALL is committed to creating a culture where the safety of people supported is essential to service delivery, and where everyone feels empowered to speak up and report abuse.

ONCALL will foster a culture where all staff are committed to preventing abuse. Every person has the right to be free from physical, sexual, verbal, psychological, and emotional abuse and neglect, and to be informed of their rights in a manner that is meaningful and understood by each person, taking into consideration any specific communication complexities, preferred style and using any assistive or augmented communication aids.

Children, young people, and adults with disability are statistically more at risk of abuse and neglect. ONCALL's duty of care to its clients includes the responsibility to identify potential abuse and neglect and to take action to prevent it. If actual abuse or neglect of a client is alleged, identified, or reported then ONCALL will:

- seek medical attention as required

¹ ONCALL is inclusive of the following entities - ONCALL Group Australia; Ablecare Pty Ltd trading as ONCALL; SACARE Pty Ltd. Throughout this document, ONCALL/SACARE will be referred to as ONCALL.

- report the incident internally and seek support, advice, and specialist consultation
- report the incident to external authorities (criminal offences must always be reported to local police department)
- contact family and representatives appropriate
- support the person throughout the investigation and resolution of the allegation
- connect the impacted person with appropriate long-term support

Children, young people, and adults with disability who share accommodation and support services may have conflicts in their needs. ONCALL works to achieve a fair and equitable balance between the needs and rights of individuals and the needs, rights, and safety of others.

While acknowledging that the Behaviour Support Plan of some disability clients, and Crisis Management Plans of young people in out-of-home care require a support approach involving planned and approved restrictions for the safety of the client, co-residents, and staff, ONCALL creates a service environment where risks to the rights and well-being of clients are planned and supported in the least restrictive way for each person.

Where restrictions are in place, they will be developed and implemented as a last resort where less restrictive options have been explored and reviewed regularly by an appropriate practitioner.

Advising Clients of their Rights

Refer Client Rights Policy

ONCALL will inform all clients about their rights to freedom from abuse and neglect, and how to voice concerns or make a complaint if they feel unsafe or that their rights have been or are likely to be infringed.

This information will be provided in the Welcome Pack and in a manner which is accessible, understandable, and appropriate for each individual client. This information may also be shared with family and representatives so that the client can be supported to understand their rights to safety, and they have the appropriate people involved to advocate on their behalf, should this be required.

ONCALL actively works to create a safe, supportive environment for clients in which they are encouraged to raise concerns without fear of retribution.

How ONCALL Prevents Abuse & Neglect

Service Delivery

ONCALL will ensure the health, safety and wellbeing of people supported in our services is paramount consideration in service provision, with practices that provide maximum protection from abuse, neglect and exploitation. We will 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 reviews of our service.

Disclosure Culture

Refer Responding to Allegations of Abuse and Neglect Procedure

ONCALL will promote a culture of no retribution in the case of reporting, including reporting of suspected or alleged abuse, neglect or exploitation or incidents suggestive of abuse, neglect or exploitation. We will ensure all workers feel they can speak up without fear of punishment or retribution, and that barriers to both client and worker disclosure of incidents of abuse will be addressed and mitigated.

Systems

ONCALL commits to ensuring systems are in place to identify abuse, neglect or exploitation of service users and thorough review processes are in place. We will continue to assess risk of abuse and neglect for all clients at multiple touchpoints throughout the delivery of services.

Recruitment and Training

ONCALL ensures that recruitment and training of support staff is of the highest standard. All workers will undertake training in abuse prevention, client rights and the NDIS Worker Screening Code of Conduct.

ONCALL's recruitment process provides confidence that all support workers fully meet security screening requirements and demonstrate the skills, knowledge, and experience before they are engaged or offered shifts. This is achieved through:

- NDIS Worker Screening Check
- Working with Children's Check
- National Police Check (Child Youth & Family Workers)
- In-depth interview and assessment process with experienced recruitment consultants
- Comprehensive referee checks with previous managers

ONCALL's initial and ongoing training and support of staff enhances their understanding and respect of clients' human rights, including freedom from abuse and neglect and outlines ONCALL's expectations of staff as ONCALL representatives. This training includes:

- mandatory Induction training which includes Duty of Care, Human Rights, Incident Reporting, Dignity of Risk
- staff Orientation to each Client's support needs, place of residence, circle of support and specialist requirements
- staff appraisals, both formal and informal
- staff supervision
- access to and understanding of relevant ONCALL Policies such as:
 - Charter of Human Rights & Responsibilities Policy
 - Participation, Empowerment and Advocacy Policy
 - Privacy Policy
 - Feedback and Complaints Policy
 - Child & Youth Protection Policy
 - This Policy (i.e., Freedom from Abuse and Neglect)
 - ONCALL Staff Code of Conduct

Historical Allegations of Abuse

Refer Child Safety Framework, Safeguarding Framework, and Child Safety Risks and Concerns Policy.

ONCALL takes all allegations of historical abuse and exploitation seriously and is committed to:

- providing processes for reporting allegations of abuse and exploitation
- ensuring thorough and timely investigation/ referral where required
- maintaining adequate record keeping of reports of alleged abuse, exploitation, and client safety concerns
- our individuals knowing what to do and who to tell if they observe abuse, exploitation or if they notice inappropriate behaviour towards clients
- the responsibility of reporting an allegation of abuse or exploitation to appropriate authorities if we have a reasonable belief that an incident took place

Breaches of this Policy

The breach of this policy by a team member, director or officer of the company may lead to disciplinary action being taken in accordance with the company’s disciplinary procedure. Serious breaches may be regarded as gross misconduct.

All team members, directors and officers of the company will be expected to cooperate fully in any investigation into suspected breaches of this policy or any related processes or procedures. If an issue is identified with a supplier, we will work with them to prepare a corrective action plan and resolve all violations within an agreed upon time period. We reserve the right to terminate our relationship with individuals and organisations in our supply chain if they breach this policy.

Definitions

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| ABUSE | The violation of a person’s human or civil rights, through an act or actions of commission or omission, by another person, or persons. Some forms of abuse are criminal offences and are punishable by law. Abuse is any form of violence, coercion, exploitation, discrimination, harm, or neglect which causes another person psychological or physical pain or suffering |
| CRIMES OF OMISSION | Failing to report incidents that have been witnessed |
| EXPLOITATION | Taking advantage of the vulnerability of a person with a disability to use them, or their resources, for another's profit or advantage (e.g., financial abuse). Exploitation often occurs with vulnerable groups such as people with a disability and older people. Exploitation is a form of abuse |
| NEGLECT | The failure to provide the necessary care, aid or guidance to dependent adults or children by those responsible for their care |
| RESTRICTIVE PRACTICES | <p>Any intervention that is used to restrict the rights or freedom of movement of a person with a disability including:</p> <ul style="list-style-type: none"> • chemical restraint • mechanical restraint • seclusion • environmental restraint • physical restraint <p>These practices become abusive when they:</p> <ul style="list-style-type: none"> • are not approved by the APO as part of a positive behaviour support strategy • are not to prevent injury or modify behaviour • are not part of a holistic plan to modify behaviour • lead to injury • are used with excessive frequency • are used for prolonged periods • are not the least restrictive response |

Related Documents

Policy, Procedure, Manual

Charter of Human Rights & Responsibilities Policy
 Child & Youth Protection Policy
 Child Safety Framework
 Feedback and Complaints Policy
 Participation, Empowerment and Advocacy Policy
 Privacy Policy
 Safeguarding Framework
 Staffing Policy
 Incident Reporting Process
 Responding to Allegations of Abuse Procedure

Other

United Nations Convention on the Rights of the Child (UNRC)

Document Control

Approval and Review

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| DOCUMENT OWNER | Audit, Compliance and Risk Management Committee (ACRM) | | |
| APPROVAL DATE | November 2023 | REVIEW DATE | November 2025 |

Access and Feedback

This policy will be made available to all staff on the ONCALL intranet and ONCALL database (Periscope), and to directors in the ONCALL Board orientation.

Users should provide comments and feedback on the accuracy, currency, and useability of the policy document to AskQualityVic@oncall.com.au.

Appendix 1: Types of Abuse

Physical Abuse: Any non-accidental physical injury or injuries to a person. This includes inflicting pain of any sort or causing bruises, fractures, burns, electric shock, or any unpleasant sensation, for example: taste, heat or cold.

Sexual Abuse: Any sexual contact between an adult and a child; or any sexual activity with an adult who is unable to understand, has not given consent, is threatened, coerced or forced to engage in sexual behaviour. Sexual activity includes intercourse, genital manipulation, masturbation, voyeurism, sexual harassment, and also inappropriate exposure to pornographic media etc.

Grooming: Concerning predatory conduct undertaken to prepare a child for sexual activity at a later time which applies where an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child's involvement in sexual conduct, either with the groomer or another adult. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity. This also includes if the victim has an intellectual disability, and when the victim does not have the capacity to make an informed decision about a disclosure, and the person who received the information is aware or should be reasonably aware of those facts.

Psychological or Emotional Abuse: Verbal assaults, threats of maltreatment, harassment, humiliation or intimidation, or failure to interact with a person or to acknowledge that person's existence. This may also include denying cultural or religious needs or preferences.

Financial Abuse: The improper use of another person's assets or the use or withholding of another person's resources by someone with whom the person has a relationship implying trust.

Legal or Civil Abuse: Denial of access to justice or legal systems that are available to other citizens and denial of informal or formal advocacy support requested by the client or his/her substitute decision maker.

Systematic Abuse: Failure to recognise, provide or attempt to provide adequate or appropriate services, including services that are appropriate to that person's age, gender, culture, needs or preferences.

Chemical abuse: Refers to any misuse of medications and prescriptions, including the withholding of medication and over-the-counter medication, or for administering PRN for reasons unrelated to the reason it has been prescribed.

Appendix 2: Types of Neglect

Physical Neglect: Failure to provide adequate food, shelter, clothing, protection, supervision and medical and dental care, or to place persons at undue risk through unsafe environments or practices.

Passive Neglect: A caregiver's failure to provide or willful withholding of the necessities of life including food, clothing, shelter or medical care.

Willful Deprivation: Willfully denying a person who, because of age, health or disability, requires medication or medical care, shelter, food, therapeutic devices or other physical assistance - thereby exposing that person to risk of physical, mental or emotional harm.

Emotional Neglect: The failure to provide the nurturance or stimulation needed for the social, intellectual and emotional growth or well-being of a person.