

Violence, Abuse, Neglect, Exploitation and Discrimination Procedure

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Purpose

The purpose of this procedure is to describe how Distinctive Options ensures all participants are free from violence, abuse, neglect, exploitation and discrimination.

Scope

This procedure applies to the Board of Directors, management, employees, volunteers and participants of Distinctive Options.

Procedure

Responses to alleged, confirmed or suspected abuse of participants will be in accordance with the following principles:

- The interests of the individual experiencing the abuse take precedence over those of the person's family or of other members of the community
- Interventions are focused on the individual experiencing the abuse, to ensure safety and ongoing protection
- The individual is encouraged to, as far as possible, make their own decisions and be provided with information about all relevant options to realise self-determination and dignity
- Assault and other forms of abuse (e.g. physical and sexual abuse, financial abuse, theft and fraud) are criminal offences and shall be elevated accordingly and relevant compulsory reporting guidelines adhered to
- Confidentiality of information is respected in accordance with professional ethics, the organisation's Privacy and Confidentiality Policy and legal obligations
- The desire of an individual for an independent advocate of their choice is respected
- Any 'Notifiable Incidents' as defined under the National Disability Insurance Scheme shall be reported to the NDIS Quality & Safeguards Commission according to NDIS Guidelines

Identifying and Reporting Violence, Abuse, Neglect, Exploitation And Discrimination

A report must be made immediately to a Coordinator or Manager if staff observe any of the following:

- A participant shows a change in behaviour or mood which may indicate they are being abused
- Someone is observed behaving towards a participant in a way that makes others feel uncomfortable
- A participant advises they are being abused by another person
- A person advises that they are abusing a participant
- A participant or other person informs that they have observed abusive acts
- A participant advises that they feel discriminated against, e.g. language and actions
- A participant presents as unkempt or seeking food beyond their typical presentation
- There is evidence of unexplained bruising or similar
- An action or inaction is witnessed that may be considered abusive
- When an individual, for any reason, believes a participant is being abused

The Coordinator or Manager is responsible for assessing the report and implementing the Incident Management and Response Procedure. Any complaint or incident in relation to the alleged violence, abuse, neglect or exploitation of a participant will be investigated and all reporting obligations will be followed.

Action will be taken against any staff member who is violent toward, abuses, neglects, exploits or discriminates against a participant or any staff member who fails to immediately report witnessed or suspected violence, abuse, neglect, exploitation or discrimination. This could include disciplinary action and dismissal as described in the Human Resources Procedure.

If a staff member withholds such information and disregards their reporting requirements, disciplinary action up to and including termination of employment will be considered. The disciplinary action taken will be proportional to the circumstances and any other relevant factors, including the severity of the conduct.

Where the conduct is a potential criminal matter, it will be reported to the police.

National Disability Abuse and Neglect Hotline

Participants who have experienced abuse or neglect, or any person who witnesses someone with a disability being abused or neglected, can call the National Disability Abuse and Neglect Hotline. This is a free, independent and confidential service that can help people find appropriate ways of dealing with reports of abuse and neglect. They can be contacted on 1800 800 052 or at hotline@workfocus.com.



It's OK to talk about abuse and neglect

Contact

National Disability Abuse and Neglect Hotline (The Hotline)

The Hotline is a free, independent and confidential service for reporting abuse and neglect of people with disability.

Anyone can contact the Hotline, including family members, friends, service providers or a person with disability.

The Hotline works with callers to find appropriate ways of dealing with reports of abuse and neglect of people with disability.

The Hotline is not a crisis service. In case of life-threatening situations, call 000 for attendance by Ambulance, Fire or Police services. If you think a crime has been committed or is being committed, contact your local police.



Call (toll free)
1800 880 052



Email
hotline@workfocus.com



Visit
jobaccess.gov.au/complaints/hotline



National Relay Service
1800 555 677



Translating and Interpreting Service
13 14 50

Protected Disclosure

Any person that raises a concern about participant wellbeing, safety and freedom from abuse in good faith will be protected without fear of reprisal. Any disclosure will be treated with sensitivity.

Distinctive Options does not tolerate detrimental action against those who make, or cooperate with, disclosures in regard to participant wellbeing, safety and freedom from abuse. Detrimental action includes withdrawal of service, action causing injury, loss or damage, intimidation, harassment, discrimination, disadvantage or adverse treatment. It includes actual action as well as the threat of action.

Preventing Risk

Distinctive Options will implement a range of preventative measures to ensure that individuals are free from discrimination, exploitation, abuse, harm, neglect and violence.

These measures include:

- providing employees with current and relevant training in prevention, protection and reporting processes to ensure that instances of actual or alleged abuse, neglect or safety breaches are dealt with promptly and effectively
- promoting and adhering to all requirements of relevant Codes of Conduct including Distinctive Options Staff Code of Conduct and the NDIS Code of Conduct
- ensuring all employees assessed as having NDIS Risk Assessed roles shall have a current National Disability Insurance Scheme Worker Screening Check
- ensuring individuals are aware of their rights through accessible information, training and promotion of freedom of expression, self-determination and decision-making
- ensuring that assessments identifying the individual needs of people receiving services are carried out in a manner that is sensitive to age, ability, gender, sexual identity, culture, religion or spirituality, language and communication needs

Zero Tolerance – National Disability Services

Distinctive Options is committed to the NDS Zero Tolerance initiative. Distinctive Options will not tolerate or normalise abuse, neglect or exploitation. Distinctive Options promotes a culture that upholds the rights, dignity, welfare and safety of all persons with a disability. All employees must sign the Code of Conduct that affirms their own commitment to Zero Tolerance.

Child Safe Standards – Commission for Children and Young People

The Victorian Government requires that organisations working directly with children meet minimum standards to help protect children from all forms of abuse. Distinctive Options strongly supports these standards and focuses on a continuous improvement process. Detailed information is provided in the [Child Safety Procedure](#).

Reportable Conduct Scheme – Commission for Children and Young People

Distinctive Options has implemented the Reportable Conduct Scheme (the Scheme) as required by the Department of Health and Human Services. This scheme relates to the safety of children who access Distinctive Options. To fulfil the Scheme's requirements, the CEO must be made aware of and report any allegation of reportable conduct made against an employee or volunteer to the Commission for Children and Young People, following a report to Victoria Police. Appropriate investigation of allegations will be undertaken and outcomes will be reported to the Commission at the conclusion of the investigation. More information about the Reportable Conduct Scheme can be found at ccyp.vic.gov.au.

Mandatory Notifications – Victorian Disability Worker Commission

All disability workers and disability employers must make mandatory notifications to the Victorian Disability Worker Commission if they form a reasonable belief that a disability worker has engaged in 'notifiable conduct'. Notifiable conduct means when a disability worker has:

- practised as a disability worker while intoxicated by alcohol or drugs
- engaged in sexual misconduct while practising as a disability worker
- placed, or may place, the public at risk of harm because the disability worker has an impairment that detrimentally affects, or is likely detrimentally to affect, the disability worker's capacity to practise as a disability worker
- placed, or is placing, the public at risk of harm because the disability worker practised, or is practising, as a disability worker in a manner that constitutes a significant departure from accepted professional standards

They must notify the Victorian Disability Worker Commission as soon as practicable after they form a reasonable belief that behaviour that constitutes notifiable conduct has occurred. The simplest way to make a notification to the Victorian Disability Worker Commission is to use the webform. This can be found at vdwc.vic.gov.au/notifications. Employees should advise their line manager or other senior manager that they intend to make a mandatory notification prior to doing so.

Relevant Documents

The following documents are related to this procedure:

[Child Safety Procedure](#)

[Human Resources Procedure](#)

[Incident Reporting and Response Procedure](#)