



**BEYONDLIMITS**  
CARE & SUPPORT SERVICES

## Safeguarding Against Violence, Abuse, Neglect, Exploitation and Discrimination Policy

Policy area	Governance and Risk Management
Document type	Policy
Applicable to	Beyondlimits Care & Support Services
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Related policies	<ul style="list-style-type: none"> <li>Risk Management Policy</li> <li>Incident Management Policy</li> <li>Client Health and Wellbeing Policy</li> <li>Duty of Care Policy</li> <li>Client Advocacy Policy</li> <li>Consent Policy</li> <li>Surveillance Technology Policy</li> <li>Diversity Policy</li> <li>Support Planning Policy</li> <li>Service Access and Exit Policy</li> <li>Service Delivery Policy</li> <li>Privacy Policy</li> <li>Conflict of Interest Policy</li> <li>Client Feedback and Complaints Management Policy</li> <li>Continuous Improvement and Quality Management Policy</li> <li>Client Living Alone and Receiving Personal Care from Sole Worker Policy</li> <li>Human Resources Management Policy</li> <li>Workplace Aggression and Violence Policy</li> <li>Client Money and Property Policy</li> </ul>
Authority	<ul style="list-style-type: none"> <li>NDIS Act 2013</li> <li>NDIS Practice Standards and Quality Indicators</li> <li>NDIS Code of Conduct</li> <li>UN Convention on the Rights of Persons with Disabilities</li> <li>UN Convention on the Rights of the Child</li> <li>Australian Human Rights Commission: National Principles for Child Safe Organisations</li> <li>Aged Care Act 1997</li> <li>Aged Care Quality and Safety Standards</li> <li>Aged Care Code of Conduct</li> </ul>

### PURPOSE

The purpose of this policy is to explain our organisation's commitment and approach to safeguarding clients against all forms of violence, abuse, neglect, exploitation and discrimination.

## SCOPE

This policy applies to all our workers (employees, contractors and volunteers).

## DEFINITIONS

Term	Definition
<b>Abuse</b>	<p>Behaviour which involves significant risk of harm to a person by controlling, bullying, threatening and/or violent behaviour. Abuse can be:</p> <ul style="list-style-type: none"><li>• physical;</li><li>• sexual;</li><li>• emotional;</li><li>• psychological; and/or</li><li>• financial.</li></ul> <p>It includes both acts and omissions (i.e. failure to act) and threats as well as actual abusive behaviour.</p> <p>*See the table below 'Types of Abuse' for definitions of the different types of abuse.</p>
<b>Child Abuse</b>	<p>Behaviour which involves a significant risk of harm to a person under the age of 18 by controlling, bullying, threatening and/or violent behaviour. It includes the types listed above and neglect and abandonment. 'Abandonment' is when someone responsible for providing the necessary care to an older person, fails to do so.</p>
<b>Coercive Control</b>	<p>This is a form of abuse and violence that involves a person exerting power over another person through fear and control. The perpetrator takes control over aspects of the victim's everyday life such as:</p> <ul style="list-style-type: none"><li>• where they can go;</li><li>• who they can see or communicate with;</li><li>• what they can wear; or</li><li>• when they can sleep or eat.</li></ul> <p>It also includes denying access to services and supports that the person needs and humiliating and/or degrading the person.</p>
<b>Discrimination</b>	<p>The unfair or prejudicial treatment of a person, or group of people, based on personal characteristics such as race, culture, gender, age, ability, family circumstances or any other defining characteristic.</p>
<b>Elder Abuse</b>	<p>Behaviour which involves a significant risk of harm to an older person (60 years or older) by controlling, bullying, threatening and/or violent behaviour. It includes the types listed above and neglect and abandonment.</p>
<b>Exploitation</b>	<p>Behaviour which involves taking advantage of someone and treating them unfairly to profit from them or otherwise benefit from them. It includes a person withdrawing money out of another person's bank account without their consent, forging cheques, stealing from another person, or wasting their money or property.</p>

<b>Grooming</b>	When someone builds a relationship, trust or emotional connection with a vulnerable person (child/young person, person with disability or an aged person) so they can manipulate, exploit and/or abuse them.
<b>Harm</b>	Anything that is a source of injury, illness or disease. It can be physical, psychological or emotional violence, abuse, neglect or exploitation caused by act or omission and either intentional or unintentional.
<b>Neglect/ Abandonment</b>	Behaviour which involves a significant risk of harm to a person by failing to provide them with the basic life necessities. It may be intentional or unintentional and includes acts and omissions (failure to act). Children, young people, people with disability and the aged are particularly vulnerable to neglect and abandonment.
<b>Psychosocial Hazard</b>	Anything that may cause psychological harm (harm to someone's mental health). It involves the regular and deliberate use of words and other non-physical actions to manipulate, hurt, weaken or frighten a person mentally and emotionally.
<b>Violence/ Domestic and Family Violence</b>	This includes abusive behaviour that may be physical, sexual, psychological or emotional. Domestic and Family Violence is violence that occurs within the family home or in the domestic 'network'. It includes coercive control, technology-based abuse as well as all the forms listed above.

<b>Type of Abuse</b>	<b>Definition</b>
<b>Financial Abuse</b>	<p>When someone:</p> <ul style="list-style-type: none"> <li>• takes away another person's money;</li> <li>• manipulates another person's financial decisions;</li> <li>• uses another person's money without consent; and/or</li> <li>• uses money, or things relating to money to hurt, scare or control another person.</li> </ul> <p>The elderly are particularly vulnerable to financial abuse.</p>
<b>Physical Abuse</b>	<p>An intentional act causing harm or injury to a person's body, or taking away another person's control of their body. It includes:</p> <ul style="list-style-type: none"> <li>• hitting, slapping or kicking;</li> <li>• tying up, locking up or restraining a person in any other way;</li> <li>• denying a person access to medicine, food or equipment to make them unwell;</li> <li>• administering medication or drugs to stop a person thinking clearly;</li> <li>• forcing a person to drink alcohol or take drugs without their consent; and/or</li> <li>• leaving a person naked, exposed and vulnerable without due care.</li> </ul>
<b>Psychological Abuse</b>	<p>The regular and deliberate use of words or other non-physical actions to manipulate, hurt, weaken or frighten a person mentally and/or emotionally. It includes:</p> <ul style="list-style-type: none"> <li>• humiliating a person in public or in front of family, friends or colleagues;</li> </ul>

	<ul style="list-style-type: none"> <li>• continually criticising or 'belittling' a person;</li> <li>• calling a person offensive names;</li> <li>• making cruel jokes at a person's expense; and/or</li> <li>• threatening harm to a person or their family.</li> </ul>
<b>Sexual Abuse</b>	<p>Sexual behaviour or a sexual act, or an attempt to obtain a sexual act, forced on a woman, man or child without their consent. It includes:</p> <ul style="list-style-type: none"> <li>• sexual touching of any part of the body (clothed or unclothed);</li> <li>• grooming (preparing or encouraging) a child to engage in sexual activity;</li> <li>• sex of any kind with a child;</li> <li>• persuading or forcing a child to engage in sexual activity; and/or</li> <li>• sexual acts done by an adult of any gender, to a child of any gender.</li> </ul>

## CONTEXT

Our organisation has zero tolerance for any form of violence, abuse, neglect, exploitation or discrimination. We recognise that people with disability, the aged, children and young people are at higher risk than others in the community and we are committed to maintaining processes to:

- prevent and protect against instances of violence, abuse, neglect, exploitation and discrimination;
- foster a 'safety culture' that supports individuals to be aware and report any actual or suspected risks of harm;
- provide environments which make clients feel safe and supported; and
- encourage and support clients with choice, control, self-determination and capacity-building where possible.

## POLICY STATEMENT

### 1. Fostering a Safety Culture

- We will treat all individuals with courtesy, respect and compassion.
- We will act in accordance with our Code of Conduct and the Codes of Conduct of relevant regulatory bodies.
- We will ensure the client feels culturally safe and seek their input on creating safeguards that best meet their cultural needs and preferences.
- We will ensure the client is aware of their human and legal right to be free from any form of violence, abuse, neglect or exploitation.
- We will seek input from the client in the planning and provision of safeguards and discuss with them in a language, mode and method they are most likely to understand.

- We will develop a trust relationship and 'know our client' and be able to recognise when there are risks, issues or concerns and we will escalate accordingly.
- We will listen to the client, and act on any fears or concerns they raise.
- We will encourage and support the client to develop their own informal support networks as part of their safeguarding strategy.
- We will encourage and support the client to engage an advocate, if requested.
- If the client does not have intellectual or cognitive capacity, we will engage an appropriate advocate to speak on their behalf.
- We will respect a client's right to informed decision-making and risk-taking (dignity of risk), irrespective of our own opinion or perception of the risk(s) involved.
- We will not discriminate against a person because of their culture, ethnicity, age, gender, ability, sexual orientation, identity or preference — or based on any other defining criteria.
- We will recognise when there is an actual, potential or perceived conflict of interest and manage this in accordance with the Conflict of Interest Policy.
- We will ensure workers undertake required pre-employment and ongoing screening (Police check, Working with Children check, NDIS worker screening).

## **2. Compliance with Legislation, Regulations, Standards and Guidelines**

- We will comply with all applicable legislation, regulations, standards, principles and organisational policies, procedures and work instructions.
- We will report safeguarding incidents in accordance with required internal and external timeframes and formats.

## **3. Ongoing Review and Monitoring**

- We will seek input from the client and/or family/alternate decision-maker/advocate (if appropriate) in the review and monitoring of the client's safeguarding mechanisms.
- We will discuss with the client and/or client/alternate decision-maker/advocate (if appropriate) any changes that may be required to ensure the client's health, safety and wellbeing.

## **4. Information and Record-keeping**

- We will ensure information and records are accurate and up to date.
- We will ensure the client has provided us with all required written consents.
- We will store the information securely to ensure privacy, dignity and confidentiality and make sure it is accessible to the client and only other stakeholders authorised to access it.

## **5. Worker Training and Supervision**

- We will maintain a skilled and trained workforce which is aware of human and legal rights and in particular individuals' right to be free from any form of violence, abuse, neglect or exploitation.
- We will maintain processes to adequately monitor and supervise workers.

## **SUPPORTING DOCUMENTS**

Related procedures and forms include:

- Safeguarding Against Violence, Abuse, Neglect, Exploitation and Discrimination Procedure
- Risk Management Procedure
- Incident Management Procedure
- Reportable Incident Management Procedure
- Support Planning Procedure
- Service Access and Exit Procedure
- Service Delivery Procedure
- Continuous Improvement and Quality Management Procedure
- Client Feedback and Complaints Management Procedure
- Surveillance Technology Procedure
- Client Advocacy Procedure
- Authority to Act as an Advocate Form
- Code of Conduct Agreement
- Incident Investigation Form
- Incident Investigation Form — Final Report
- Incident Report
- Incident Register
- Risk Assessment Form
- Risk Management Plan Register
- Client and Young People Handbook

## **RESPONSIBILITIES**

Managing Director is responsible for:

- maintaining this policy, its related procedures and associated documents;
- ensuring the policy is effectively implemented across the service;
- monitoring workers compliance with the requirements of this policy; and
- ensuring training and information is provided to workers to carry out this policy.

All workers are responsible for complying with the requirements of this policy.

## **COMPLIANCE**

Deliberate breaches of this policy will be dealt with under our misconduct provisions, as stated in the Code of Conduct Agreement.